RECORDS

VOL. 54

METROPOLITAN
DISTRICT
COMMISSION

JUNE 1, 1889
TO
JULY 12, 1890

Record of the Three Thousand Four Hundred and Eighty Fifth (3485th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 1, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P88-1511-C1A, dated June 1, 1989, with DEC TAM Corporation, for Asbestos Abatement at Various MDC Facilities.

2. Contract No. P89-1557-C1A, dated June 1, 1989, with CCM Corp., for Replacement of Doors at the Aviary in Stone Zoo, Stoneham.

3. Contract No. P89-1561-C1A, dated June 1, 1989, with Forte Landscape and Construction Co., for Cherry Tree Planting, Mystic River Reservation.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

4. Report of Messrs. Faucher and Abounaja, May 15, recommending approval of Alteration No. 1, in the amount of a $3,984.00 credit and also the transfer of $4,040.00 worth of lumber to the Commission, due to the need to scale down the size of the Revere and Brighton Salt Sheds, on Contract No. P79-0707-C1A, with James A. Gross, Inc., for Construction of Four (4) Salt Shed in Stoneham, Revere, Brighton and Dorchester.
(The site in Cambridge originally selected for a Salt Shed would not accomodate the facility. Therefore, the Commission voted on January 5, 1989 to relocate the Salt Shed to Revere.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $3,984.00 credit and also the transfer of $4,040.00 worth of lumber to the Commission, as recommended by Messrs. Faucher and Abounaja in their report of May 15, 1989.

5. Report of Messrs. Faucher and Abounaja, May 22, recommending the following on Contract No. P79-0707-C1A, with James A. Gross, Inc., for Construction of Four (4) Salt Storage Sheds in Stoneham, Brighton, Cambridge and Dorchester.
(a) That work be accepted as completed as of March 30, 1989.
(b) That Estimate No. 7 (Final), in the amount of $8,565.20, be approved for payment.
(c) That reserve, in the amount of $20,075.55, be approved for payment.
(Basis of Award - $407,400.00)
(Total of Date - $401,511.00)
(Contract Administration Rating - 3.60)
(EEO Compliance - 4.60)
The Commission V O T E D: that work of James A. Gross Inc., Contractor under Contract No. P79-0707-C1A, for construction of Four (4) Salt Storage Sheds in Stoneham, Brighton, Cambridge and Dorchester be and hereby is accepted as completed as of March 30, 1989.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $8,565.20, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $20,075.55, for payment.

6. Report of Messrs. Faucher and O'Connor, May 12, recommending approval of Extra Work Orders, at a total additional cost of $11,384.50, on Contract No. P82-1047-C1A, with J. F. White Contracting Company, for Rehabilitation of General Edwards Bridge, Revere/Lynn, as follows:
Extra Work Order No. 6 - Drawbridge, gantry signs and support systems - $2,905.36.
Extra Work Order No. 7 - Removal and re-installation of existing steel medium barrier at the draw span - $7,479.14.
Extra Work Order No. 8 - Additional work on span control equipment - $1,000.00.

Account No. 2490-8881.
The Commission V O T E D: to approve Extra Work Order No. 6, Extra Work Order No. 7 and Extra Work Order No. 8.

1. Report of Messrs. Faucher and Soroka, May 26, recommending approval of an extension of time from May 26 to July 10, on Contract No. P88-1513-C1A, with Tri-State Signal Inc., for Construction and Reconstruction of Traffic Signals at Intersections of Perkins Street, Parkman Drive and Chestnut Street, Jamaica Plain.
The Commission V O T E D: to approve an extension of time, from May 26 to July 10, as recommended by Messrs Faucher and Soroka in their report of May 26, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. Mitchell, May 9, submitting for approval and signature Quabbin Park Cemetery Deed. No. Q-1685, conveying East 3/4 of Lot No. 1930, to Mrs. Eunice P. Officer of Belchertown, Massachusetts.
The Commission V O T E D: approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1685 dated June 1, 1989, which was signed by the Commission and two Associate Commissioners.

3. Report of Mr. McGinn, May 25, recommending approval to issue a permit to the Rhode Island Chapter of the National Multiple Sclerosis Society to use Quabbin Park Road as part of their MS 150 Mile Bike Tour from 8:30 a.m. to 11:00 a.m. on Sunday, June 25, 1989.
The Commission V O T E D: approved - Subject to terms and conditions to be outlined in the permit by Mr. McGinn.

4. Report of Mr. McGinn, May 26, on proposals for the purchase of standing timber on Quabbin, Ware River, Wachusett and Sudbury Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of Jacques J. Caron, 220 Reservoir Street, Marlboro, Massachusetts of $655.00 to purchase approximately 8,230 board feet of sawlogs and 49 cords of firewood on Timber Sale No. 4 - Sudbury Reservoir Watershed; Jacques J. Caron will also perform $400.00 of additional work that is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of Bosse Logging, 45 Tolcott Ave, Gardner, Massachusetts of $200.00 to purchase approximately 6,050 board feet of sawlogs, 3 cords of firewood and 113 cords of pulp on Timber Sale No. 84 - Wachusett Reservoir Watershed; Bosse Logging will also perform $300.00 of additional work that is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of Prevost Forest Products, Alstead Hill, Gilsum, N.H. of $7,055.00 to purchase approximately 17,000 tons of whole tree wood on Timber Sale No. 572 - Quabbin Reservoir Watershed; Prevost Forest Products will also perform $22,700.00 of additional work that is considered partial payment for the sawlogs.
The Commission further V O T E D: not to accept the only bid, that of E. A. Davis Lumber, 423 Turnpike Road, Fitzwilliam, N.H. of $100.00 to purchase approximately 170,735 board feet of sawlogs, 136 cords of firewood and 225 tons of whole tree wood on Timber Lot No. 171 - Ware River Watershed - inasmuch as this office falls below the fair market value for this timber sale.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

5. Report of Mr. VanWart, April 25, requesting approval to process a renewal Contract-Agreement with the Union and Confederate

Volunteers, to provide a Civil War Reenactment and a Living History Program at Fort Warren, Georges Island, during a mutually agreeable weekend in 1989. Total Compensation not to exceed $1,200.00. Account No. 2440-0010-03.

Mr. Jansen noted that he recently received a letter, as requested by the Commission, outlining steps taken by the Union and Confederate Volunteers, to invite minority participation in the annual Civil War Reenactment and Living History Program at Fort Warren.

Associate Commissioner Jones spoke of a recent ceremony which was conducted in South Carolina, memorializing the members of the 54th Massachusetts Colored Infantry, who died during the Civil War.

He noted that Major George Coblyn, United States Army, Retired, from Lexington, whose grandfather was a member of the regiment, was in attendance at the ceremony in South Carolina.

Associate Commissioner Jones suggested that Mr. Jansen send a letter to Major Coblyn, with a copy of the letter from the Union and Confederate Volunteers, requesting his comments, suggestions and assistance in the recruitment of minority participation for the upcoming reenactment.

The Commission V O T E D: Approved.

1. At this point, Associate Commissioner Whelan read the following letter he received recently from Christopher M. Carr, Supervisor of Bond Timing Services, Inc. -

> "I am writing to thank you and your staff for the remarkable response time regarding my request last week. As soon as I hung up the phone with you, there was a crew cleaning the field and cutting the grass. I realize the busy schedule each work crew must face, therefore, Kudos to them. I want to thank the MDC for a job well done. Thank you Mr. Whelan for your Time and Cooperation."

Associate Commissioner Whelan then asked that a copy of the aforementioned letter be sent to the MDC personnel involved, with thanks of the Commission, for their outstanding response to Mr. Carr's request.

2. At this point, Associate Commissioner Jones reviewed the history of the Commission's involvement with the "Smoot" (see minutes of the Commission meeting of December 8, 1988).

He explained that a plaque, memorializing the tradition of the "Smoot" unit of measurement on the Harvard Bridge, will be unveiled and dedicated by the M.I.T. Chapter of Lambada Chi Alpha Fraternity on Sunday, June 4, 1989. He explained that he will be unable to represent the Commission at the ceremonies, as he has in the past, therefore, he requested that David Lenhardt, MDC Bridge Engineer, represent the Commission.

Associate Commissioner Jones then noted that he was informed recently that the contractor for the reconstruction of the bridge is planning to install a reconstruction plaque. Inasmuch as the Commission has not had an opportunity to view the plaque, and its legend, he made a motion that detail of the proposed plaque be submitted to Community Affairs by the Contractor for review and approval, prior to submittal to the Commission for action.

The Commission V O T E D: Approved as recommended by Associate Commissioner Jones.

Action was taken upon the following Orders of Taking:

Report of Mrs. Anderson, May 17, recommending that the Commission adopt an Order of Taking for the following permanent and temporary easements with award of damages -

PARCEL	OWNER	AREA IN SQUARE FEET IN WHICH PERMANENT EASEMENT IS TAKEN	VALUE OF DAMAGES
A.	Electric Mutual Liability Insurance Company	3,225	$ 8,465.50
B.	General Electric Company	1,377	$ 3,614.62
C.	General Electric Company	4,273	$22,433.25

J.	Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees Of Trans Continental Realty Trust	103	$ 1,236.00

PARCEL	OWNER	AREA IN SQUARE FEET IN WHICH TEMPORARY EASEMENT IS TAKEN	VALUE OF DAMAGES
D.	Electric Mutual Liability Insurance Company	2,700	$ 8,640.00
H.	General Electric Company	730	$ 2,920.00
E.	General Electric Company	7,590	$30,360.00
G.	Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees Of Trans Continental Realty Trust	340	$ 1,632.00

Account No. 2490-0009.
The Commission V O T E D: Delete from agenda.

1. Report of Mrs. Anderson, May 26, recommending that the Commission adopt an Order of Taking for permanent and temporary easements with award of damages in the City of Lynn.
At this point, Associate Commissioner Scandrett read the following statement and asked that it be incorporated into the minutes of the Commission meeting of June 1, 1989 - "It is a fact that the primary purpose of improvement and construction in this area of the Lynnway is to accommodate General Electric Company and its employees. The Commission is concerned about the prospect of paying General Electric Company and its subsidiaries over $80,000.00 in order to make these improvements.
We, therefore, direct Mrs. Anderson to convey these concerns to General Electric and Electric Mutual Liability Insurance Company and request that the Commission's payments be reduced or eliminated."
Associate Commissioner Whelan then suggested that the Commission approve adoption of an Order of Taking for permanent and temporary easements with award of damages in the amount of $1.00 for each parcel, subject to further negotiations between the MDC, Electric Mutual Liability Insurance Company, General Electric Company and Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees of Trans Continental Realty Trust.
The Commission V O T E D: to adopt an Order of Taking and award damages, subject to further negotiations, for permanent and temporary easements with award of damages in the City of Lynn - as follows:

PARCEL	OWNER	SQUARE FEET	AWARD SUBJECT TO FURTHER NEGOTIATIONS
A.	Electric Mutual Liability Insurance Company	3,225 sq. ft.	$1.00
B.	General Electric Company	1,377 sq. ft.	$1.00
C.	General Electric Company	4,273 sq. ft.	$1.00
J.	Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees of Trans Continental Reality Trust	103 sq. ft.	$1.00

PARCEL	OWNER	SQUARE FEET	AWARD SUBJECT TO FURTHER NEGOTIATIONS
D.	Electric Mutual Liability Insurance Company	2,700 sq. ft.	$1.00
E.	General Electric Company	7,590 sq. ft.	$1.00
G.	Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees of Trans Continental Realty Trust	340 sq. ft.	$1.00
H.	General Electric Company	730 sq. ft.	$1.00.

LOCATION OF PROPERTY: LYNNWAY, LYNN, MASSACHUSETTS

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 1, 1989.

ORDERED: That the Metropolitan District Commission, by virtue of the authority conferred upon it by Chapter 556 of the Acts of 1952 and by Chapter 732 of the Acts of 1981 and every other power and authority hereto enabling, for the purpose of said Acts does hereby take under the provisions of Chapter 79 of the General Laws, in the name and for the benefit of the Commonwealth of Massachusetts, the perpetual right and easement to construct, repair, maintain and use for highway purposes including the right to install drainage structures and other appurtenances related thereto, in, through and under the land situated in the City of Lynn in the County of Essex and Commonwealth of Massachusetts located adjacent to the Lynnway as shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Lynn (Essex County), Mass., Lynnway, Plan of Taking, Howard, Needles, Tammen & Bergendoff - Engineers - Architects - Planners, Boston, Mass.", signed by Francis D. Faucher, Director of Parks Engineering and Robert D. Ford, Registered Land Surveyor, dated May, 1988, being Plan Accession Number 52446X, a copy of which shall be recorded with a copy of this order in the Essex South District Registry of Deeds and made part of this order, bounded and described as follows:

Parcel A - Permanent Easement - Registered Land

A parcel of land adjoining the westerly M.D.C. location line of the Lynnway and bounded by said location line and by a line described as follows:

Beginning at a point on said location line, said point bearing N 74° 07' 25" W and being 48.00 feet distant from Station 29+29.08 of the baseline of said M.D.C. layout;

Thence, leaving said location line N 13° 40' 37" W 30.74 feet;

Thence, N 35° 07' 25" W 60.27 feet;

Thence, N 15° 52' 35" E 40.91 feet to a point on the dividing line between Lot 27 and Lot 28 of L.C.C. 24357E;

Thence, following said dividing line S 74° 18' 15" E 1.82 feet;

Thence, S 36° 19' 05" E 34.13 feet;

LOCATION OF PROPERTY: LAWRENCE, LAND, MASSACHUSETTS

Thence, S 74° 07' 25" E 33.17 feet to a point again on said westerly location line;

Thence, following said location line S 15° 52' 35" W 34.64 feet to the point of beginning.

Said parcel contains 3,225 square feet of land, more or less.

Parcel B - Permanent Easement - Registered Land

A parcel of land adjoining the westerly M.D.C. location line of the Lynnway, and bounded by said location line and by a line described as follows:

Beginning at a point, marking the southeasterly corner of Parcel B, and on said location line, said point also being the northeasterly corner of Parcel A, hereinbefore described, and extends thence, leaving said location line and following the dividing line between Lot 27 and Lot 28 of L.C.C. 71357E,

N 74° 07' 25" W 33.17 feet;

Thence, N 36° 19' 05" W 34.15 feet;

Thence, N 74° 18' 15" W 1.82 feet;

Thence, leaving said dividing line N 15° 52' 35" E 6.14 feet;

Thence, S 74° 07' 25" E 62.00 feet, to a point again on said westerly location line;

Thence, following said location line S 15° 52' 35" W 27.39 feet, to the point of beginning.

Said parcel contains about 1,377 square feet of land more or less.

Certain portions of said land are Registered Land as shown by the following Certificates of Title filed in the Essex South Registry of Deeds:

PARCEL	OWNER	AREA IN SQ. FT. IN WHICH PERMANENT EASEMENT IS TAKEN	CERTIFICATE OF TITLE	BOOK	PAGE
A.	Electric Mutual Liability Insurance Company	3,225	44874	202	44874
B.	General Electric Company	1,377	53617	171	53617

Parcel C - Permanent Easement

A parcel of land adjoining the westerly M.D.C. location line of the Lynnway, and bounded by said location line and by a line described as follows:

Beginning at a point, marking the southeasterly corner of Parcel C, and on said location line, said point also being the northeasterly corner of Parcel B, hereinbefore described, and extends thence, leaving said location line and following the northeasterly boundary line of Parcel B, hereinbefore described,

N 74° 07' 25" W 62.00 feet,

Thence, leaving said boundary line of Parcel B N 15° 52' 35" E 68.92 feet

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Thence, S 74° 07' 25" E 62.00 feet, to a point again on said westerly location line;

Thence, following said location line S 15° 52' 35" W 68.92 feet to the point of beginning.

Said parcel contains about 4,273 square feet of land more or less.

Parcel I - Permanent Easement

A parcel of land adjoining the westerly M.D.C. location line of the Lynnway, and bounded by said location line and by a line described as follows:

Beginning at a point, marking the southeasterly corner of Parcel J, and on said location line, said point also being the northeasterly corner of Parcel I;

N 71° 08' 42" W 10.93 feet;

Thence, leaving said boundary line of Parcel I, on a curve to the left having a radius of 44.00 feet and a length of 31.68 feet to a point on said westerly location line;

Thence, following said location line S 15° 52' 35" W 29.58 feet to the point of beginning.

Said parcel contains about 103 square feet of land more or less.

PARCEL	OWNER	AREA IN SQ. FT. IN WHICH PERMANENT EASEMENT IS TAKEN	BOOK	PAGE
C.	General Electric Company	4,273	5745	104
J.	Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees of Trans Continental Realty Trust	103	7191	471

Said Metropolitan District Commission does also hereby order the taking of and does hereby take in the name and behalf of the Commonwealth of Massachusetts for the purposes aforesaid, the right and easement to occupy and use for the passage of men and vehicles, the transportation of machinery and materials and for depositing machinery, tools, dirt and other materials thereon, together with the right to remove said machinery, tools, dirt and other materials so deposited thereon, but in no event later than June 1, 1991, the following described parcels of land situated in said Lynn in Essex County and Commonwealth of Massachusetts shown on the aforesaid plan.

Parcel D - Temporary Easement - Registered Land

A parcel of land located westerly of the Lynnway, being a portion of Lot 27, L.C.C. 24357E, bounded and described as follows:

Northwesterly, about 152 feet, westerly about 50 feet and northerly about 6 feet, all by land of Electric Mutual Liability Insurance Company.

Easterly, by land of General Electric Company, Lot 28, L.C.C. 24357E, about 110 feet;

Southerly, 40.91 feet, southeasterly 60.27 feet and southerly about 75 feet, all by Parcel A, hereinbefore described.

Said parcel contains about 2,700 square feet of land more or less.

Parcel H - Temporary Easement - Registered Land

A parcel of land located westerly of the Lynnway, being a portion of Lot 28, L.C.C. 24357E, and bounded and described as follows:

Southerly, by Registered Land of Electric Mutual Liability Insurance Company, Parcel D, hereinbefore described, about 110 feet;

Westerly, about 7 feet, northerly about 110 feet, Parcel E, hereinbefore described, and easterly 6.44 feet, Parcel B, hereinbefore described, all by land of General Electric Company.

Said parcel contains about 730 square feet of land more or less.

Certain portions of said land are Registered Land as shown by the following Certificates of Title filed in the Essex South Registry of Deeds.

PARCEL	OWNER	AREA IN SQ. FT. IN WHICH TEMPORARY EASEMENT IS TAKEN	CERTIFICATE OF TITLE	BOOK	PAGE
D.	Electric Mutual Liability Insurance Company	2,700	44874	202	44874
H.	General Electric Company	730	38617	171	38617

Parcel E - Temporary Easement

A parcel of land located westerly of the Lynnway and bounded and described as follows:

Southerly, about 110 feet, by land of General Electric Company (registered under L.C.C. 24357E);

Westerly, by land of General Electric Company, about 69 feet;

Northerly, by land of the United States of America, about 110 feet; and

Easterly, again by land of General Electric Company, Parcel C, hereinbefore described, 66.92 feet.

Said parcel contains about 7,590 square feet of land more or less.

Parcel G - Temporary Easement

A parcel of land located on the westerly side of the Lynnway and bounded and described as follows:

Southerly, by land of the United States of America, Parcel F, about 10 feet;

Westerly, by land of Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees of Trans Continental Realty Trust, about 46 feet;

Easterly, by the Lynnway, about 12 feet;

Southeasterly, again by land of Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees of Trans Continental Realty Trust, Parcel J, 31.68 feet.

Said parcel contains about 340 square feet of land more or less.

PARCEL	OWNER	AREA IN SQ. FT. IN WHICH TEMPORARY EASEMENT IS TAKEN	BOOK	PAGE
E.	General Electric Company	7,590	5746	104
G.	Leslie S. Rosenberg and Stuart B. Rosenberg, Trustees of Trans Continental Realty Trust	340	7121	478

The rights and easements in the land in which rights and easements are herein taken are taken without interference with or prejudice to the rights of the respective owners thereof except so far as is reasonably necessary in the exercise of said rights and easements; and there are excepted and reserved to the respective owners of said land in which rights and easements are herein taken, and their heirs, successors and assigns, all their respective rights in and to the use of said lands for all lawful purposes not inconsistent with the uses herein set forth.

Trees on said lands and structures affixed thereto are included in this taking with the exception of wires, pipes, conduits, poles and their appurtenances for the conveyance of water, sewage, steam, gas and electricity and for telephone and telegraph communications now lawfully in or upon said lands.

Associate Commissioner Jones abstained from voting on this item and noted that he will also abstain from voting on any future Orders of Taking until such time as each individual Order of Taking has been reviewed and approved by the Legal Counsel.

1. Report of Mrs. Anderson, May 26, recommending that the Commission adopt an Order of Taking of 52.30 acres of land from Peter D. Barlow and Cruz Villegas Barlow, located off Turnpike Road, Petersham, Massachusetts, with award of damages in the amount of $16,000.00, as provided in Section 3 of Chapter 564 of the Acts of 1987.
Associate Commissioner Jones asked if Legal Counsel had reviewed and commented on this Order of Taking. Mrs. Anderson responded in the negative.

The Commission V O T E D: to adopt an Order of Taking of 52.30 acres of land from Peter D. Barlow and Cruz Villegas Barlow located off Turnpike Road, Petersham, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 1, 1989.

ORDERED: That the Metropolitan District Commission by virtue of the authority conferred upon it by Section 3 of Chapter 564 of the Acts of 1987 and every other power and authority hereto enabling, for the purpose of said Act and Section 117 of Chapter 92 of the General Laws, does hereby order the taking of and does hereby take in fee under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the land situated in Petersham in the County of Worcester and Commonwealth of Massachusetts, described as follows:

That portion of the land in the northwesterly part of Petersham now or formerly owned by M. Ella Whitney, known as the Tyler lot, and formerly known as the Calvin Haskell lot;

Beginning at the northwesterly corner of said tract;

Thence north 89° east, 30 rods to the end of a certain wall;

Thence south 36° 15' east, 32 rods, 12 links to the end of a certain wall and on land now or formerly of J. Gale;

Thence on land of said Gale north 57° east, 8 rods to a pile of stones;

Thence on land of said Gale 89° 45' east, 48 rods to a pile of stones;

Thence on land now or formerly of Lott Stone southeasterly 67 rods, 16 links to a pile of stones;

Thence on land now or formerly of C. Haskell south 83° west, 22 rods to the end of a certain wall;

Thence on land of said Haskell south 13° 45' east, 16 rods, 5 links to a pile of stones;

Thence on land of said Haskell north 88° 56' west, 32 rods, 12 links to the end of a wall;

Thence on land of said Haskell north 42° 45' west, 24 rods to a pile of stones on a large rock;

Thence on land of said Haskell north 89° 15' west, 36 rods to a certain wall;

Thence on land now or formerly of Harrison Bancroft northerly 88 rods, 20 links to a stake and stones at the place of beginning.

Also, the right of way to the public road near the house formerly of C. Haskell.

For title reference see Worcester Registry of Deeds Book 10628, Page 152.

OWNERS	AREA IN ACRES TAKEN IN FEE	AWARD OF DAMAGES
Peter D. Barlow and Cruz Villegas Barlow	52.30 acres	$16,000.00

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purpose of said Chapters, all rights and privileges, excluding easements of record, which shall include the wires, pipes, conduits and poles, for the conveyance of water, sewage, steam, gas and electricity and for telephone and telegraph communications now lawfully in or upon said land, and appurtenances of every name and nature as may be necessary to give full force and effect upon said parcel of land hereinabove described.

Trees and structures are included in said taking.

Associate Commissioner Jones abstained from voting on this item. He stated that he will not vote on any Order of Taking until such time as each Order of Taking has been reviewed and approved by Legal Counsel.

The Commission further V O T E D: to award of damages in the amount of $16,000.00, as provided in Section 3 of Chapter 564 of the Acts of 1987.

The following matter was placed on the agenda for the information of the Commmission:

1. The following schedules were approved for payment by the Commissioner during the period from May 15, 1989 to May 22, 1989.

Expenditures	$678,494.38
Summer Youth	$ 5,719.21

Adjourned at 12:15 p.m. to meet on Thursday, June 8, 1989 at 10:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Four Hundred and Eighty Sixth (3486th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 8, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on May 18, 1989 were read and approved.

The Secretary submitted for signature the following papers:

1. Contract No. P89-1560-C1A, dated June 8, 1989, with Barber-Coleman Marcucci, Inc., for Installation of Moisture Control System within the New Vestibule in the Aviary Building at the Stone Memorial Zoo, Stoneham, Massachusetts.

2. Contract No. P89-1558-M1A, dated June 8, 1989, with F. M. Emergency Generator, Inc., for Annual Preventative Maintenance & Repair for Prime Power Generators & Emergency Generators at Various Locations within the MDC.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

3. Report of Messrs. Faucher and Carrigan, June 5, recommending that the Commission rescind its award of Contract No. P89-1552-C1A, Construction of Parking Lot, Franklin Park Zoo, Boston, to Todesco Equipment Company, due to a finding by the Department of Labor and Industries that Todesco Equipment Company failed to file a unit price for Item No. 061-010 - Chain Link Fence, and therefore was not an eligible bidder and that its bid must be rejected. Based upon the decision of the Department of Labor and Industries, Messrs. Faucher and Carrigan recommend award of Contract No. P89-1552-C1A, Construction of Parking Lot, Franklin Park Zoo, Boston, to the second low bidder, Reynolds Brothers, Inc./Reynolds Equipment Corp. (Joint Venture), with a bid of $1,408,827.00. Account Nos. 2490-0010 and 2490-0009.
Mr. Jewett explained the second low bidder filed a protest which was upheld by the Department of Labor and Industries. In its finding, the Department of Labor and Industries concluded that Todesco was not an eligible bidder and, therefore, its bid must be rejected.
Mr. Jewett then stated that he had conferred with Legal Counsel and staff and it was determined that the contract should be awarded to the second low bidder, Reynolds Brothers, Inc./Reynolds Equipment Corp. (Joint Venture).
The Commission V O T E D: to rescind its award of Contract No. P89-1552-C1A, Construction of Parking Lot, Franklin Park Zoo, Boston, to Todesco Equipment Company based on the decision of Labor and Industries and on advice of MDC Legal Counsel.
The Commission further V O T E D: to award Contract No. P89-1552-C1A, Construction of Parking Lot, Franklin Park Zoo, Boston, to the second low bidder, Reynolds Brothers, Inc./Reynolds Equipment Corp. (Joint Venture), with a bid of $1,408,827.00, based on the decision of the Department of Labor and Industries and on the advice of MDC Legal Counsel.
The Commission further V O T E D: that the Division be directed to move with dispatch so as to insure that the facility will be completed by September 15, 1989.

4. Report of Messrs. Faucher and Jackson, June 5, requesting approval to increase by seven the number of trees and change the location of seven trees to the Charles River Reservation, at an additional cost of $1,925.00, which will bring the total cost of the project to $8,800.00, on Contract No. P89-1561-C1A, with Forte Landscape & Construction Company, for Cherry Tree Planting, Mystic River Reservation.
(Funding from a $10,000.00 contribution to the Metro Parks Trust Fund by the people of Japan.)
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Jackson in their report of June 5, 1989.

1. Report of Messrs. Faucher and DiPietro, June 2, requesting approval and execution of an Agreement Between Quincy One Associates Limited Partnership and the Metropolitan District Commission relating to Modifications to Town Brook Flood Control Structure - Contract No. P82-0A02.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement Between Quincy One Associates Limited Partnership and the Metropolitan District Commission, dated June 8, 1989, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Messrs. Faucher and Chan, May 22, recommending the following on Contract No. P78-0668-C1A, with R. J. Delmonico, Inc., for Reconstruction of Connell Field:
(a) Alteration No. 2 - to add five trees, by decreasing the size of three species and change the grass species mix in low-lying areas - at no change in contract cost.
(b) That Greater Boston Landscape Company, Inc., be approved as sub-contractor for Items 29A - 29M - Various Trees and Shrub Planting. Approximate Cost $37,795.00.
The Commission V O T E D: to approve Alteration No. 2, at no additional cost to the Commission.
The Commission further V O T E D: to approve Greater Boston Landscape Company, Inc., as sub-contractor for Items 29A - 29M - Various Trees and Shrub Planting, at an approximate Cost of $37,795.00.

Action was taken upon the following matter relating to the Flood Control Management Division:

3. Report of Mr. Winter, May 9, requesting that the Commission ratify and approve the action of the Division in the emergency repairs to a 2" hydraulic oil supply line at the Amelia Earhart Dam, by Kenett Corporation, at a cost of $1,185.42. Account No. 2440-0010.
Associate Commissioner Whelan requested that Mr. Winter review this matter to determine if the contractor working on the dam was responsible for the rupture of the hydraulic supply line.
The Commission V O T E D: to ratify and approve the action of the Division in the emergency repairs to a 2" hydraulic oil supply line at the Amelia Earhart Dam, by Kenett Corporation, at a cost of $1,185.42.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Mr. McGinn, May 26, on proposals for the purchase of standing timber on Ware River Watershed.
The Commission V O T E D: to accept the second highest qualified bid, that of Jepson Brothers, of $1,510.00 to purchase approximately 33.905 board feet of sawlogs and 340 cords of firewood on Lot No. 172 - Ware River Watershed; Jepson Brothers will also perform $1,590.00 of additional work that is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the only qualified bid, that of Charles Uracius, of $788.00 to purchase approximately 6.215 board feet of sawlogs and 76 cords of firewood on Lot No. 173 - Ware River Watershed.
The Commission further V O T E D: to accept the second highest qualified bid, that of F & L Firewood & Logging, of $3,375.00 to purchase approximately 30,965 board feet of sawlogs and 150 cords of firewood on Lot No. 117A - Ware River Watershed; F & L Firewood & Logging will also perform $990.00 of additional work that is considered partial payment for the sawlogs.

5. Report of Mr. McGinn, May 15, recommending that retainage, in the amount of $466.50, be approved for payment on Contract No. WM87-003-S1A, with Louis Berger & Associates, Inc., for Field Testing for Required Impact Assessment.
Associate Commissioner Jones did not participate in discussion nor vote on this matter.

The Commission V O T E D: to approve payment of retainage, in the amount of $466.50, as recommended by Mr. McGinn in his report of May 15, 1989.

1. Report of Mr. McGinn, May 24, requesting approval to pay $3,333.22 to Camp Dresser & McKee on Contract No. WM86-004-S1A, for Phase II, Investigation of Three Water Supply Dams, for costs incurred during the course of work subsequent to the expiration of the contract.
Associate Commissioner Jones did not participate in discussion nor vote on this matter.
The Commission V O T E D: Approval to pay $3,333.22 to Camp Dresser & McKee on Contract No. WM86-004-S1A, for costs incurred during the course of work subsequent to the expiration of the contract.

Action was taken upon the following matter relating to the Planning Division:

2. Report of Mrs. O'Brien, June 2, recommending approval of a preliminary site plan for a 6,000 square foot deck, at the Spaulding Hospital, which will replace a trestle which was destroyed by fire in 1984.
Mrs. O'Brien reviewed the project in detail with the Commission. She explained that the MDC Planning Office has been involved in discussions with officials of Spaulding Hospital, the Boston Redevelopment Authority, the Department of Environmental Quality Engineering and the Charles River Watershed Association with regards to the deck for the past four years. As a result of the discussions, she explained, most of the preliminary design issues have been resolved.
Mrs. O'Brien then presented two artist's renderings of the deck and adjacent pier which will replace the 23,000 square foot deck which was destroyed by fire in 1984.
Mrs. O'Brien explained that the Planning Office believes the Hospital's proposed preliminary design for a pier of 8,000 square feet is larger than necessary. She stated that the Planning Office originally suggested an alternative design of 6,000 square feet. However, she explained, the Planning Office is now ready to recommend to the Commission approval of a deck up to 7,000 square feet.
On questioning by the Commission, Susan Glasser of the Spaulding Hospital stated that the deck will offer patients an opportunity to observe activities in the Charles River Basin. She then noted that safe public access to the deck and its approaches will be provided by the Hospital.
The Commission V O T E D: to approve the preliminary site plan for a 7,000 square foot deck, with final construction approval subject to the resolution of design details, including but not limited to stair and ramp location and design; design of the promontory adjacent to the existing concrete abutment along the main channel; location and design of seating, flags, planting boxes, and other amenities.
At this point, Associate Commissioner Jones requested that Mrs. O'Brien and Ms. Glasser work closely with Lieutenant Walsh of the Marine Division so that all of his concerns are addressed.

Action was taken upon the following matter relating to the Police Division:

3. Report of Deputy Superintendent William E. Kelley, June 1, requesting that the Commission authorize DCPO to solicit proposals for a five year lease for hangar space for the Metro Police helicopter. Account No. 2440-0015-16.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Central Services Division:

4. Report of Mr. Lydon, May 31, on bids for Pest Control Services. Account No. 2440-0010.
(Mr. Lydon recommends that the bid of Systems Exterminating Contractors of $53.00 per service call - all locations be accepted).

The Commission V O T E D: to accept the bid, that of Systems Exterminating Contractors of $53.00 per service call - all locations.

1. Report of Mr. Lydon, May 25, on bids for Rubbish Dumpster Supply, Service and Waste Disposal, at an estimated cost of $720,000.00 for fiscal year 1990 - to be paid as follows: Central Services - $650,000.00, Recreational Facilities and Programs - $10,000.00 and Zoos - $60,000.00.
Mr. Lydon further recommends that bids for direct disposal from MDC trucks at landfills or transfer stations be rejected.
The Commission V O T E D: to award contracts for Rubbish Dumpster Supply, Service and Waste Disposal, for Fiscal Year 1990, as recommended by Mr. Lydon, as follows:

Blue Hills Maintenance	-	30 yards	-	J. Motzkin
Blue Hills Office	-	30 yards	-	J. Motzkin
Stoney Brook Yard	-	30 yards	-	J. Motzkin
Nantasket Yard	-	30 yards	-	J. Motzkin
Southwest Corridor	-	30 yards	-	J. Motzkin
Old Colony Maintenance	- (2)	30 yards	-	J. Motzkin
MDC Mounted Police	-	15 yards	-	J. Motzkin
Middlesex Fells Yard	- (2)	30 yards	-	J. Motzkin
Revere Yard	-	30 yards	-	J. Motzkin
Nahant Division	-	30 yards	-	J. Motzkin
Nahant Division	-	20 yards	-	J. Motzkin
Nahant Div. (April-Oct.)	-	30 yards	-	J. Motzkin
Wellington Circle Police	-	20 yards	-	J. Motzkin
Hormel Stadium	-	5 yards	-	M.J. Connolly
Ponkapoag Golf Course	-	30 yards	-	J. Motzkin
North End Rink	-	6 yards	-	M.J. Connolly
Upper Basin Yard	- (2)	30 yards	-	J. Motzkin
Lower Basin Yard	- (4)	30 yards	-	J. Motzkin
Community Boathouse	-	10 yards	-	J. Motzkin
Amelia Earhart Dam	-	6 yards	-	M.J. Connolly
Camp Nihan	-	6 yards	-	J. Motzkin
Franklin Park Zoo	-	30 yards	-	Charles Lee
Franklin Park Zoo (Compactor)	-	30 yards	-	Waste Management
Stoneham Zoo	-	6 yards	-	J. Motzkin
Stoneham Zoo	-	10 yards	-	J. Motzkin
Stoneham Zoo	-	30 yards	-	J. Motzkin
Leo J. Martin Golf Course	- (2)	30 yards	-	Reliable
Marine Police Division	-	6 yards	-	J. Motzkin
20 Somerset Street	-	30 yards	-	J. Motzkin
20 Somerset Street	-	6 yards	-	J. Motzkin
Temporary Locations	-	30 yards	-	J. Motzkin

The Commission further V O T E D: to reject bids for direct disposal from MDC trucks at landfills or transfer stations, as recommended by Mr. Lydon in his report of May 25, 1989.

Action was taken upon the following matters relating to the Metro Parks Zoos:

2. Report of Dr. Goldstein, recommending that the events surrounding the opening of the African Tropical Forest be sponsored jointly by the Commission and the Boston Zoological Society. The events will run from September 2 through September 17, 1989, culminating in a two-day public Grand Opening.
The Commission V O T E D: Approved.

3. Report of Dr. Goldstein, June 1, requesting permission to request proposals for the operation of food and gift concessions at Franklin Park and Stone Zoos.
The Commission discussed in detail the merits of accepting proposals for each concession individually or accepting proposals for the joint operation of both concessions by one concessionaire.
The Commission V O T E D: To authorize the Concession Selection Committee to request proposals for each zoo individually and also request proposals for the operation of both concessions by one concessionaire.

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The following mater was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from May 22, 1989 to May 30, 1989.

Expenditures	$591,589.69
Summer Youth	$ 5,829.55

Adjourned at 12:00 noon to meet on Thursday, June 15, 1989 at 1:00 p.m.

William F. Cunha
Secretary

Record of the Three Thousand Four Hundred and Eighty Seventh (3487th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 15, 1989 at 1:00 p.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on May 25, 1989 were read and approved.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

1. Report of Mr. Faucher and Ms. Graves, June 6, on bids for Parking Lines for Parking Spaces at Various Locations in the Greater Boston Area, Contract No. P88-1540-M2A.
Account No. 2444-9001-12.
(Mr. Faucher and Ms. Graves recommend acceptance of the lowest bid received, that of Expert Lines, of $21,400.00).
The Commission V O T E D: to accept the lowest bid, that of Expert Lines, of $21,400.00.

2. Report of Mr. Faucher and Ms. Graves, May 26, recommending the following on Contract No. P87-1490-C1A, with Tri-State Signal, Inc., for Construction/Reconstruction of Traffic Signal Systems, Cambridge and Somerville -
(a) That work be accepted as completed as of February 13, 1989.
(b) That Estimate No. 3 (Final), in the amount of $28,877.91, be approved for payment.
(c) That reserve, in the amount of $5,258.58, be approved for payment.
(Basis of Award - $124,073.00)
(Total to Date - $105,171.60)
(Contract Administration Rating - 3.57)
(EEO Compliance - 3.20)
The Commission V O T E D: that the work of Tri-State Signal, Inc., Contractor under Contract No. P87-1490-C1A, for Construction/ Reconstruction of Traffic Signal Systems, Cambridge and Somerville, be and hereby is accepted as completed as of February 13, 1989.
The Commission further V O T E D: To approve Estimate No. 3 (Final), in the amount of $28,877.91, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,258.58, for payment.

3. Report of Messrs. Faucher and Chan, May 9, submitting Project Summary and Work Schedule Forms and requesting permission to advertise Project No. P89-1564-M1A, Duck Pond Cleaning - Franklin Park Zoo, estimated cost $4,000.00. Account No. 2440-2000-12.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Giella, June 7, submitting Project Summary and Work Schedule Forms and requesting approval to advertise Project No. P89-1565-M1A - Annual Maintenance of Carpeting at the MDC Headquarters Building Fiscal Year 1990 - $8,000.00 - Fiscal Year 1991 - $8,500.00. Account No. 2440-0010-12.
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Higgott, June 9, requesting approval of an extension of time from June 30, 1989 to December 31, 1989 on Contract No. P78-0667-D1A, for Rehabilitation of the Amelia Earhart Dam, Navigational Locks and Flood Control Pumping Station in the Cities of Somerville and Everett, in order that the Consultant, The Maguire Group, can complete final inspection and punch list items.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from June 30, 1989 to December 31, 1989, as recommended by Messrs. Faucher and Higgott in their report of June 9, 1989, to be effective, however, only upon receipt of the written consent of

the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Lespasio, June 7, recommending approval to revise quantities on the following -
Item No. 10 - Granite Edgestone R & R - $ 5,800.00
Item No. 11 - New Granite Edgestone - $18,225.00
Item No. 20 - Bituminous Concrete - $18,000.00
on Contract No. P87-1425-C2A, with William P. Capone Corp., for Replacing Bituminous and Cement Concrete Sidewalks.
(At no increase in cost as the revisions will be offset by unused quantities in Item Nos. 17 and 25).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of June 7, 1989.

2. Report of Messrs. Faucher and Machado, June 1, recommending approval to revise quantities on the following -

Item No. 5	Removal of Trees	- $ 3,000.00
Item No. 23	New Manhole Type A	- $10,125.00
Item No. 43	Stone for Pipe Ends	- $ 370.00
Item No. 55	Granite Curb Removed and Reset	- $17,150.00
Item No. 56	Granite Curb and Curb Corners Removed and Reset	- $ 5,995.00
Item No. 61	Granite Curb Corners 2' Radius Type A	- $ 1,100.00
Item No. 67	Cement Concrete Patch	- $18,000.00
Item No. 68	Subgrade Reshape	- $ 4,726.00
Item No. 71	Bituminous Concrete Base Course	- $ 5,375.91
Item No. 72	Bituminous Concrete Binder Course	- $60,802.50
Item No. 73	Bituminous Concrete Surface Course	- $20,569.00
Item No. 113	3" Electrical Conduit Type RM	- $31,040.00
Item No. 115	Pull Box 12" x 12"	- $ 3,640.00
Item No. 51	Removal and Disposal of Granite Curb	- $ 877.50
Item No. 135	Cement Concrete Sidewalks, Median and Traffic Islands, 4" thick	- $ 8,750.00

for a total of $191,521.71, on Contract No. P79-0596-C1A, with John McCourt Company, for Rehabilitation of Veterans of Foreign Wars Parkway.
(The cost of these revisions will be offset by unused quantities in other items).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado in their report of June 1, 1989.

3. Report of Messrs. Faucher and Lenhardt, June 9, requesting that the Commission approve restrictions for the Alewife Brook Parkway Bridge over B & M Railroad Bridge No. MDC-812-017-101 as follows:
(a) That Alewife Brook Parkway Bridge over B & M Railroad (Bridge No. MDC-812-017-101) be placed under Reservation and Parkway Rules and Regulations and close the bridge to all truck traffic.
(b) That the Commission authorize and direct the Metro Police to post the necessary regulatory signs for closing the Alewife Brook Parkway Bridge over B & M Railroad (Bridge No. MDC-812-017-101) to all truck traffic.
Mr. Lespasio explained that the Commission, at its Meeting of November 7, 1980, approved an eight ton weight restriction for this bridge. However, he noted, despite increased maintenance, the bridge has continued to deteriorate. He then presented to the Commission photos outlining conditions of the structure.
Associate Commissioner Jones requested that appropriate staff confer with the Commission's bridge rating Consultant concerning its concurrence with the Division's recommendations. In addition, he requested that Legal Counsel review the matter with regard to legal requirments. He then asked that the Community Affairs Office notify the public and news media of the Commission's action.
Associate Commissioner Whelan then requested that the Police Division be directed to strictly enforce the new weight restriction on the bridge.

Associate Commissioner Scandrett noting that a great number of military vehicles utilize the bridge, on the way to and from Fort Devens, requested that the Massachusetts National Guard and the United States Army Reserve be notified of the Commission's action on this matter.
The Commission V O T E D: Approval to place under Reservation and Parkway Rules and Regulations the Alewife Brook Parkway Bridge over B & M Railroad (Bridge No. MDC-812-017-101) and to close the bridge to all truck traffic.
The Commission further V O T E D: to authorize and direct the Metro Police to post the necessary regulatory signs for closing the Alewife Brook Parkway Bridge over B & M Railroad (Bridge No. MDC-812-017-101) to all truck traffic.

1. Report of Messrs. Faucher and Lenhardt, May 16, recommending the following on Contract No. P87-1442-C1A, with L & C Flashing Barricades, Inc., for Truck Warning Overhead Sign Structures at Various Locations within the MDC Parkway System -
(a) That work be accepted as completed as of December 31, 1988.
(b) That Estimate No. 6 (Final), in the amount of $58,736.23, be approved for payment.
(c) That reserve, in the amount of $38,873.28, be approved for payment.
(Basis of Award - $863,750.00)
(Total to Date - $777,465.61)
(Contract Administration Rating - 4.57)
(EEO Compliance - 4.25)
The Commission V O T E D: that the work of L & C Flashing Barricades, Inc., Contractor under Contract No. P87-1442-C1A, for Truck Warning Overhead Sign Structures at Various Locations within the MDC Parkway System, be and hereby is accepted as completed as of December 31, 1988.
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of $58,736.23, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $38,873.28, for payment.

2. Report of Messrs. Faucher and Arinella, June 6, recommending approval of an extension of time from June 30, 1989 to September 30, 1989, on Contract No. P83-1347-M1A, with Underwater Construction Corp., for Maintenance and Repair of Locks, Draws and Other Underwater Structures.
(This extension will not result in an increase in the cost of the Contract).
The Commission V O T E D: to approve an extension of time, from June 30, 1989 to September 30, 1989, as recommended by Messrs. Faucher and Arinella, in their report of June 6, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Arinella, June 6, recommending approval of an extension of time from June 30, 1989 to September 30, 1989, on Contract No. P86-1422-M1A, with Kennett Corporation, for Servicing Hydraulic Systems at the Charles River Dam, Charlestown.
(This extension will not result in an increase in the cost of the contract).
The Commission V O T E D: to approve an extension of time, from June 30, 1989 to September 30, 1989, as recommended by Messrs. Faucher and Arinella, in their report of June 6, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Mr. Faucher and Ms. Peterson, June 8, recommending the following on Contract No. P82-1139-S2A, with Barnes and Jarnis, Inc., for Engineering Services to Determine Live Load Carrying Capacity or Rating Recommendations for Improvements of Bridges Under Commission Jurisdiction -
(a) Authorize Barnes and Jarnis, Inc. to perform required services under Task II. 2. Related Services.

(b) Approve the firm of Simpson, Gumpertz and Hager, Inc. as sub-consultant to Barnes and Jarnis, Inc., on Contract No. P82-1139-S2A, in an amount not to exceed $15,000.00.

(c) Approve the transfer of funds in the amount of $80,000.00 from Task II. 1.2. Supplemental Reports to Task II. 2. Related Services.

(To assist the Commission engineers in preparing and executing a repair contract for Monsignor William J. Casey Overpass).

Associate Commissioner Whelan requested that Mr. Jewett confer with the Consultant to insure that the sub-consultant on the project has appropriate and adequate insurance coverage.

The Commission V O T E D: to authorize Barnes and Jarnis, Inc. to perform required services under Task II. 2. Related Services.

The Commission further V O T E D: to approve the firm of Simpson, Gumpertz and Hager, Inc. as sub-consultant to Barnes and Jarnis, Inc., on Contract No. P82-1139-S2A, in an amount not to exceed $15,000.00.

The Commission further V O T E D: to approve the transfer of funds in the amount of $80,000.00 from Task II. 1.2. Supplemental Reports to Task II. 2. Related Services.

Action was taken upon the following Various Matters:

1. Report of Mr. Wright, June 9 submitting for approval and execution First Amendment to Contract-Agreement with Barnes and Jarnis, Inc., which extends Time for Performance from June 30, 1989 to June 30, 1990, to provide specialized engineering services to the Department of the Attorney General for the preparation of court cases and contract matters involving MDC construction projects. The extension is required to continue work on ongoing litigation.
(At no additional cost to the Commission).
The Commission V O T E D: Approved.
The Secretary then submitted First Amendment, dated June 15, 1989, to Contract-Agreement with Barnes and Jarnis, Inc., which was signed by the Commissioner and three Associate Commissioners.

2. Report of the Concession Selection Committee, June 15, relative to the Award of the Concession at Georges Island for the 1989 Summer Season.
The Commission V O T E D: to award the Concession Permit for Georges Island as recommended by the Concession Selection Committee, in their report of June 15, 1989, as follows:

LOCATION	CONCESSIONAIRE	COMPENSATION
Georges Island Boston Harbor	M & M Marine Service 619 East Broadway South Boston, MA	$2,000.00 and 10% of the gross profits over $20,000.00 for the season.

Associate Commissioner Scandrett abstained from voting on this item.

Action was taken upon the following matter relating to the Right of Way Division:

3. Report of Mrs. Anderson, June 14, recommending that the Commission accept, for no consideration, from the Town of Melrose, a parcel of land known as the Lawrence Lloyd Memorial Pool, which in accordance with Chapter 484 of the Acts of 1985, was surplused to the Town.
The Commission V O T E D: Held Over - Pending receipt of additional information from the Town of Melrose and the Division of Capital Planning and Operations.

The following mater was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from May 30, 1989 to June 5, 1989.

Expenditures	$220,154.31
Summer Youth	$ 5,765.78

Adjourned at 12:30 p.m. to meet on Thursday, June 22, 1989 at 1:00 p.m.

William F. Cowle
Secretary

Record of the Three Thousand Four Hundred and Eighty Eighth (3488th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 22, 1989 at 1:00 p.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on June 1, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P89-1552-C1A, dated June 22, 1989, with Reynolds Bros., Inc./Reynolds Equipment Corporation (Joint Venture), for Construction of Parking Lot Franklin Park Zoo, Boston.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

2. Report of Messrs. Faucher and Lenhardt, June 9, requesting that the Commission remove the restrictions approved by the Commission at its meeting of November 7, 1980, as follows:
   1. That the eight (8) ton weight restriction be removed from the Alewife Brook Parkway Bridge over Service Road (MDC-812-016-101) and be placed under Reservations and Parkways Rules and Regulations Restrictions.
   2. That the eight (8) ton weight restriction be removed from the Stanislaw Suchecki Memorial Bridge (MDC-896-039-100) and returned to general service.
   3. That the eight (8) ton weight restriction be removed from the Lech Wolenska Bridge (MDC-896-065-100) and returned to Reservations and Parkways Rules and Regulations Restrictions.

   The Commission V O T E D: That the eight (8) ton weight restriction be removed from the Alewife Brook Parkway Bridge over Service Road (MDC-812-016-101) and be placed under Reservations and Parkways Rules and Regulations Restrictions.
   The Commission further V O T E D: That the eight (8) ton weight restriction be removed from the Stanislaw Suchecki Memorial Bridge (MDC-896-039-100) and returned to general service.
   The Commission further V O T E D: That the eight (8) ton weight restriction be removed from the Lech Wolenska Bridge (MDC-896-065-100) and returned to Reservations and Parkways Rules and Regulations Restrictions.

3. Report of Messrs. Faucher and Lenhardt, June 13, recommending the following on Contract No. P88-1535-C1A, with Coast Construction Corp., for First Street Bridge Repairs, Cambridge, Massachusetts -
   (a) That work be accepted as completed as of May 31, 1989.
   (b) That Estimate No. 2 (Final), in the amount of $9,294.83, be approved for payment.
   (c) That reserve in the amount of $1,237.57, be approved for payment.
   (Basis of Award - $20,594.00)
   (Total to Date - $24,751.47)
   (Contract Administration Rating - 4.83)
   (EEO Compliance - N/A)

   The Commission V O T E D: that the work of Coast Construction Corp., Contractor under Contract No. P88-1535-C1A, for First Street Bridge Repairs, Cambridge, Massachusetts, be and hereby is accepted as completed as of May 31, 1989.
   The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $9,294.83, for payment.
   The Commission further V O T E D: to approve release of reserve, in the amount of $1,237.57.

4. Report of Messrs. Faucher and Lenhardt, June 14, recommending approval to revise quantities, with no increase in the contract obligation, on Contract No. P75-0838-C2B, with Modern Continental Construction Co., for Replacement of the General Lawrence Bridge and Approaches, as follows -

Item No. 35 - Cleaning Drain Pipe, 24-inch - $ 3,900.00
Item No. 72 - Bituminous Concrete Binder Course - $32,400.00
Item No. 73 - Bituminous Concrete Binder,Top Course- $22,200.00
Item No. 75 - Granite Curb, Type VA-3, Straight - $ 3,080.00
Item No. 78 - Granite Curb, Type VA-4, Curved - $ 2,250.00
Item No. 79 - Granite Curb Inlet, Straight - $ 2,880.00
Item No. 86 - Curb Removed and Stacked - $ 1,050.00
Item No. 110 - Steel Reinforcement for Structures - $ 2,000.00
(The cost of these revisions will be offset by unused quantities in other items).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of June 14, 1989.

1. Report of Messrs. Faucher and Kerwin, June 12, recommending the following on Contract No. P87-1480-M2A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts -
(a) That work be accepted as completed as of February 28, 1989.
(b) That Estimate No. 13 (Final), in the amount of $9,000.79, be approved for payment.
(c) That reserve, in the amount of $3,291.16, be approved for payment.
(Basis of Award - $272,675.00)
(Total to Date - $291,218.11)
(Contract Administration Rating - 4.00)
(EEO Compliance - 4.25)
The Commission V O T E D: that the work of Coviello Electric and General Contracting Co., Inc., Contractor under Contract No. P87-1480-M2A, for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts, be and hereby is accepted as completed as of February 28, 1989.
The Commission further V O T E D: to approve Estimate No. 13 (Final), in the amount of $9,000.79, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,291.16, for payment.

2. Report of Messrs. Faucher and Giella, June 19, recommending the following on Contract No. P88-1499-M1A, with Apple Cleaning Co., D/B/A Apple Corps., for Carpet Cleaning at MDC Headquarters Building -
(a) That work be accepted as completed as of May 13, 1989.
(b) That Estimate No. 4 (Final), in the amount of $67.28, be approved for payment.
(c) That reserve, in the amount of $315.99, be approved for payment and the 65 day waiting period be waived and that payment of the reserve amount be scheduled and paid with the current amount due on the contract.
(Basis of Award - $7,508.00)
(Total to Date - $6,319.72)
(Contract Administration Rating - 3.75)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Apple Cleaning Co., D/B/A Apple Corp., Contractor under Contract No. P88-1499-M1A, for Carpet Cleaning at MDC Headquarters Building, be and hereby is accepted as complete as of May 13, 1989.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $67.28, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $315.99, for payment and the 65 day waiting period be waived and that payment of the reserve amount be scheduled and paid with the current amount due on the contract.

3. Report of Mr. Faucher and Ms. Peterson, June 16, recommending the following on Contract No. P82-1052-C1A, with Modern Continental Construction Co., Inc., for Proposed Bridge Improvements Philip Bowker Interchange - Inbound, Storrow Drive Structure - West Abutment, Boston, Massachusetts (Emergency Contract) -
Extra Work Order No. 1 - Modifications to West Abutment - $96,850.00
Alteration No. 1 - Steel Reinforcement - $ 2,250.00
(Projected underruns for the project are approximately $71,000.00.

Therefore, the increase in contract cost is approximately $28,000.00). Account No. 2490-0009.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $96,850.00.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of $2,250.00, as recommended by Mr. Faucher and Ms. Peterson in their report of June 16, 1989.

1. Report of Messrs. Faucher and Abounaja, June 21, recommending approval of Extra Work Order No. 1, in the amount of approximately $5,000.00, for removal of asbestos containing thermal insulation from various pipes at the Beaver Brook Reservation Headquarters, on Contract No. P88-1511-C1A, with DEC-TAM Corporation, for Asbestos Abatement at Various MDC Locations. (Funding Account to be determined).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of approximately $5,000.00, as recommended by Messrs. Faucher and Abounaja in their report of June 21, 1989.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn, June 13, on proposals for the purchase of forest products located on the Quabbin Reservoir Watersheds. Mr. McGinn recommends:
The Commission V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of $7,027.21; to purchase approximately 35,841 board feet of sawlogs on Roadside Sale No. 25 - Quabbin Reservoir Watershed; Heyes Forest Products will also perform $4,724.00 of additional work that is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Lumber Co., of $138.40; to purchase approximately 6,000 board feet of sawlogs on Roadside Sale No. 26 - Quabbin Reservoir Watershed; Hubbard Lumber Co. will also perform $671.60 of additional work that is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of John Conkey & Sons Logging, of $523.40; to purchase approximately 9,019 board feet of sawlogs on Roadside Sale No. 27 - Quabbin Reservoir Watershed; John Conkey & Sons Logging will also perform $387.60 of additional work that is considered partial payment for the sawlogs.

3. Report of Mr. McGinn, June 14, recommending that the Commission enter into a Contract-Agreement with Environmental Intern Program/Northeast, to provide the services of an intern for a management presence at the Westborough Cedar Swamp for a twelve week period, between June 1 and November 1, 1989, with a 50% cost sharing basis with Sudbury Valley Trustees for the $3,000.00 cost of the service. (MDC cost $1,500.00).
(Account No. 2420-1400-13).
The Commission V O T E D: Approved as recommended by Mr. McGinn in his report of June 14, 1989.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

4. Report of Mr. VanWart, June 6, requesting that records of Commission meeting of March 16, 1989 be revised to reflect the following corrections and the inclusion of an individual not previously identified - (Peddock's Island) -
Cottage No. 2 - Should read:
Phillip Chalmers
Eden Road
Rockport, Massachusetts 01966
Cottage No. 3 - Should read:
Dan Coffey
76 Parkhurst Street
Quincy, Massachusetts 02169
Cottage No. 9 - Should read:
Mr. & Mrs. Richard F. Perry
40 Clark Street
Lexington, Massachusetts 02173

Cottage No. 13 - Should read:
Marlene Giammarco
102 Oak Lane - Apt. 9
Brockton, Massachusetts 02401
Cottage No. 28 - Should read:
Ms. Denise Madden
1A Josie Way
Weymouth, Massachusetts 02189
Individual Not Previously Identified:
Michael McDevitt
Peddocks Island
Hull, Massachusetts
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Police Division:

1. Report of Superintendent Bratton, June 12, requesting that the speed limit on Columbia Road from Kosciuszko Circle to Dorchester Avenue be posted at 30 Miles Per Hour and that the speed limit from Dorchester Avenue to Edward Everett Square be posted at 25 Miles Per Hour.
The Commission requested that the Community and also the news media be advised of the Commission action on this matter.
The Commission V O T E D: Approved as requested by Superintendent Bratton in his report of June 12, 1989.

Action was taken upon the following matters relating to the Right of Way Division:

2. Report of Mrs. Anderson, June 14, recommending that the Commission accept, for no consideration, from the Town of Melrose, a parcel of land known as the Lawrence Lloyd Memorial Pool, which in accordance with Chapter 484 of the Acts of 1985, was surplused to the Town.
The Commission V O T E D: Delete from Agenda.

3. Report of Mrs. Anderson, June 20, recommending that the Commission vote to acquire by negotiated sale 3.76 acres of land from John Barmack and Mehbooba Anwar, M.D., located in the Town of Canton, bounded by the terminus of I-95 to the south and southwest, Green Street on the east and the Fowl Meadow on the west and northwest, for the sum of $293,500.00.
The Commission V O T E D: acquire by negotiated sale 3.76 acres of land from John Barmack and Mehbooba Anwar, M.D., located in the Town of Canton, bounded by the terminus of I-95 to the south and southwest, Green Street on the east and the Fowl Meadow on the west and northwest, for the sum of $293,500.00.
Associate Commissioner Jones abstained from voting on this item. He stated that he will not vote on any acquisition of land until such time as each acquisition has been reviewed by legal counsel.

4. Report of Mrs. Anderson, June 16, recommending that the Commission adopt an Order of Taking of 60.63 acres of land from Pauline Mae Spencer, Marjorie MacCallum and Robert L. Bigelow (known as the Estate of Raymond Bigelow), located off Intervale Road in the Town of Rutland, Massachusetts, with award of damages in the amount of $75,000.00, as provided in Section 3 of Chapter 564 of the Acts of 1987.

The Commission V O T E D: to adopt an Order of Taking of 60.63 acres of land from Pauline Mae Spencer, Marjorie MacCallum and Robert L. Bigelow (known as the Estate of Raymond Bigelow), located off Intervale Road in the Town of Rutland, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 22, 1989.

ORDERED: That the Metropolitan District Commission by virtue of the authority conferred upon it by Section 3 of Chapter 564 of the Acts of 1987 and every other power and authority hereto enabling, for the purpose of said Act and Section 117 of Chapter 92 of the General Laws, does hereby order the taking of and does hereby take in fee under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the land situated in Rutland in the County of Worcester and Commonwealth of Massachusetts, described as follows:

A certain parcel of land located off the easterly side of Intervale Road, consisting of 60.63 acres, and shown as a parcel marked "Heirs of Lewis Raymond Bigelow, Jr. and Aileen Frances Bigelow". Said parcel is shown on a plan entitled "Plan of Land in Rutland, MA., to be Acquired by The Commonwealth of Massachusetts, Metropolitan District Commission, Watershed Management Divsion", dated June 7, 1989, Scale 1" = 100', to be recorded herewith.

Said plan is signed by John R. Lonergan, Registered Land Surveyor, and is a portion of the land described in a deed recorded in Worcester County Registry of Deeds Book 2424, Page 202.

OWNERS	AREA IN ACRES TAKEN IN FEE	AWARD OF DAMAGES
Pauline Mae Spencer, Marjorie MacCallum and Robert L. Bigelow	60.63 acres	$75,000.00

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said Chapters, all rights and privileges, excluding easements of record, which shall include the wires, pipes, conduits and poles, for the conveyance of water, sewage, steam, gas and electricity

and for telephone and telegraph communications now lawfully in or upon said land, and appurtenances of every name and nature as may be necessary to give full force and effect upon said parcel of land hereinabove described.

Trees and structures are included in said taking.

The Commission further V O T E D: to award damages in the amount of $75,000.00, as provided in Section 3 of Chapter 564 of the Acts of 1987.
Associate Commissioner Jones abstained from voting on this item. He stated that he will not vote on any Order of Taking until such time as each Order of Taking has been reviewed by legal counsel.

The following matter was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from June 5, 1989 to June 12, 1989.

Expenditures	$743,787.28
Summer Youth	$ 6,469.25

Adjourned at 2:45 p.m. to meet on Thursday, June 29, 1989 at the Quabbin Reservoir Administration Building at 11:00 a.m.

William F. Cheshire
Secretary

Record of the Three Thousand Four Hundred and Eighty Ninth (3489th) meeting of the Metropolitan District Commission duly called and held at the Quabbin Reservoir Administration Building, Belchertown, Massachusetts on Thursday, June 29, 1989 at 11:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on June 8, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement, dated June 29, 1989, with Eileen Simonson, as MDC/MWRA Liaison.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

2. Tenth Amendment, dated June 29, 1989, to Contract-Agreement No. P82-0A02-D1A with Metcalf and Eddy, for Design Contract for Engineering Services.

Action was taken upon the following matter relating to the Parks Engineering and Construction Division:

3. Report of Mr. Traficante, June 26, recommending that Contract No. P88-1511-C1A, with DEC-TAM Corporation, for Asbestos Abatement at Various MDC Facilities be amended to include an emergency abatement project for asbestos hazard at the MDC Lee Pool/Running Center in Boston - also
(a) That Time for Performance be extended from June 30, 1989 to August 31, 1989.
(b) That compensation to the contractor be increased by approximately $80,000.00.
Account No. 2440-7885.
Associate Commissioner Scandrett questioned whether the plumbing system at the pool had been properly drained and blown-out following the 1988 season. He then questioned who was responsible to see that the system was properly drained at the conclusion of the summer season.
Following a lengthy discussion, the Commission requested that Mr. Rodrigues review the matter and report back to the Commission, at the meeting of July 20, 1989, with his findings.
The Commission V O T E D: Approval to amend Contract No. P88-1511-C1A, to include an emergency abatement project for asbestos hazard at the MDC Lee Pool/Running Center in Boston.
The Commission further V O T E D: to approve an extension of time, from June 30, 1989 to August 31, 1989, as recommended by Mr. Traficante in his report of June 26, 1989, to be effective, however, only upon receipt of the written consent of the bonding company.
The Commission further V O T E D: Approval to increase the compensation to DEC-TAM Corporation in the amount of approximately $80,000.00.

4. Report of Mr. Jewett, June 27, requesting that the Commission rescind their vote of April 13, 1989 renewing Contract-Agreement No. P82-1047-X4A, with Jayne E. Brady, Public Information Coordinator for Various Highway Projects for a twelve month duration and total compensation not to exceed $39,985.00.
Mr. Jewett further requests approval to renew the Contract-Agreement No. P82-1047-X4A, with Jayne E. Brady, Public Information Coordinator for Various Highway Projects with an expiration date of October 15, 1989 and compensation not to exceed $13,329.00, which includes $667.00 for reimbursable expenses. Account No. 2490-0010.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of June 27, 1989.
The Secretary then submitted for signature Contract-Agreement, dated June 29, 1989, which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mr. Jewett, June 27, requesting that the Commission rescind their vote of April 13, 1989 renewing Contract-Agreement No. P86-1402-X1A, with Mary F. Clutchey, for Capital Planning and Control - Transportation for a twelve month duration and total compensation not to exceed $40,512.00.
Mr. Jewett further requests approval to renew the Contract-Agreement No. P86-1402-X1A, with Mary F. Clutchey, for Capital Planning and Control - Transportation with an expiration date of October 15, 1989 and compensation not to exceed $13,504.00, which includes $400.00 for reimbursable expenses. Account No. 2490-0012.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of June 27, 1989.
The Secretary then submitted for signature Contract-Agreement, dated June 29, 1989, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. McGinn, June 23, recommending the following on Contract No. WM87-017-S1A, with Camp, Dresser & McKee, Inc., for Wachusett Reservoir Taste and Odor Study -
(a) That work be accepted as completed as of January 31, 1989.
(b) That Invoice No. 8 (Final), in the amount of $3,696.96, be approved for payment.
(c) That Invoice No. 9 (Retainage), in the amount of $3,943.57, be approved for payment.
(Basis of Award - $39,500.00)
(Total to Date - $39,435.81)
(Contract Administration Rating - 7.00) 10.00 being excellent
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Camp, Dresser & McKee, Inc., Consultant under Contract No. WM87-017-S1A, for Wachusett Reservoir Taste and Odor Study, be and hereby is accepted as completed as of January 31, 1989.
The Commission further V O T E D: to approve Invoice No. 8 (Final), in the amount of $3,696.96, for payment.
The Commission further V O T E D: to approve Invoice No. 9 (Retainage), in the amount of $3,943.57, for payment.

The following matter was placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from June 12, 1989 to June 19, 1989.

Expenditures	$701,193.08
Summer Youth	$ 9,669.94

4. Informational Presentation by Mr. O'Connor relative to Deer Impacts upon the Quabbin Ecosystem.
Mr. O'Connor provided an in-depth review of the problem and several options which will reduce deer browsing impact upon the Reservation.
Copies of three reports outlining the impact of deer browsing at Quabbin are on file in the Secretary's Office.

5. Informational Presentation on the status of the use of Quabbin Hydropower to heat Quabbin Administration Building.
Mr. James Holeva, Acting Superintendent, Quabbin, reviewed the matter and explained that utilization of electric heat for the Quabbin Administration Building is not feasible.
Following the presentation, the matter was placed on file.

Adjourned at 1:00 p.m. to meet on Thursday, July 6, 1989 at 10:00 a.m.

William F. Cusick
Secretary

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Record of the Three Thousand Four Hundred and Ninetieth (3490th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 6, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on June 15, 1989 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement, dated July 6, 1989, with Reliable Rubbish Disposal, Inc., for Rubbish Dumpster Supply Service and Waste Disposal at Various MDC Locations for Fiscal Year 1990.

2. Contract-Agreement, dated July 6, 1989, with Systems Exterminating Contractors, for Pest Extermination Services at Various MDC Locations for Fiscal Year 1990.

3. Contract-Agreement, dated July 6, 1989, with M. J. Connolly and Sons, Inc., for Rubbish Dumpster Supply Service and Waste Disposal at Various MDC Locations for Fiscal Year 1990.

4. Contract-Agreement, dated July 6, 1989, with Joseph Motzkin & Sons, for Rubbish Dumpster Supply Service and Waste Disposal at Various MDC Locations for Fiscal Year 1990.

5. Contract-Agreement, dated July 6, 1989, with Waste Management, Inc., for Rubbish Dumpster Supply Service and Waste Disposal at Various MDC Locations for Fiscal Year 1990.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

6. Report of Mr. Faucher, June 27, requesting approval of Contract-Agreement No. P82-1024-X2A with Michael J. Angeri, P.E., as Project Manager for Water Resources Projects - Total Compensation $34,300.00. Time for Performance will be ten months expiring on April 3, 1990. Account No. 2410-8801.
The Commission V O T E D: Approved as requested by Mr. Faucher in his report of June 27, 1989.

7. Report of Messrs. Faucher and O'Connor, June 21, recommending approval of the following on Contract No. P82-1047-C1A, with J. F. White Contracting Co., for Rehabilitation of General Edwards Bridge, Revere/Lynn -
Revision No. 15 -
Item 39 - Structural Steel Draw Span Leaves - $318,000.00
Revision No. 16 -
Item 38 - Structural Steel Reinforcing Plates - $ 70,000.00
Extra Work Order No. 9 - Removal and Replacement of Rivets with High Strength Bolts - $ 24,204.00
Account No. 2490-8881.
The Commission discussed the project at great length and expressed its concern regarding the cost of revisions on this contract and questioned if the project Consultant had performed an adequate inspection of the bridge during the design process. Mr. Lespasio explained that the original bridge inspection, by the Consultant, was performed over five years ago and additional deterioration had taken place prior to the start of the rehabilitation project.
The Commission V O T E D: to approve the revision in quantities on Item 39 - Structural Steel Draw Span Leaves and Item No. 38 - Structural Steel Reinforcing Plates as recommended by Messrs. Faucher and O'Connor in their report of June 21, 1989.
The Commission further V O T E D: to approve Extra Work Order No. 9 for Removal and Replacement of Rivets with High Strength Bolts as recommended by Messrs. Faucher and O'Connor in their report of June 21, 1989.

1. Report of Messrs. Faucher and Lespasio, June 22, recommending approval to revise quantities on the following -

Item No. 5	- Class A Rock Excavation	- $30,000.00
Item No. 9	- Class B Trench Excavation	- $32,000.00
Item No. 19	- 24 inch Reinforced Concrete Pipe	- $ 4,160.00
Item No. 81	- Iron Fence Remove and Dispose	- $ 390.00
Item No. 96	- Transplanting Existing Trees	- $ 8,100.00
Item No. 128	- Cement Concrete Masonry	- $ 4,180.00
Item No. 133	- Reinforcing Steel	- $ 548.00

on Contract No. P82-1047-C2A, with John Mahoney Construction Co., for Rehabilitation of Lynnway/Carroll Highway.
(The cost of these increases is $79,378.20. This cost will be offset by Alteration No. 1 - a credit in the amount of $71,712.00 - resulting in a net increase cost to the Commission of $7,666.20).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of June 22, 1989.

2. Report of Messrs. Faucher and Chan, June 28, on bids for Franklin Park Zoo Duck Pond Cleaning, Contract No. P89-1564-C1A. Account No. 2440-2000-12.
(Messrs. Faucher and Chan recommend acceptance of the only bid received, that of J. F. Walton, Inc., of $7,165.00).
The Commission V O T E D: to accept the only bid received, that of J. F. Walton, Inc., of $7,165.00.

3. Report of Messrs. Faucher and Higgott, June 30, recommending approval of Extra Work Claim No. 1, in the amount of $4,971.81, for replacing Level Transmitter Stations, on Contract No. P78-0667-C1A, with J. F. White Contracting Company, for Rehabilitation of the Amelia Earhart Dam, Navigational Locks and Flood Control Pumping Station in the Cities of Somerville and Everett. Account No. 2440-8886.
Associate Commissioner Whelan questioned if the project is still within the $6,000,000.00 cap set by the Commission.
Mr. Higgott responded in the affirmative.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 1, in the amount of 4,971.81.

4. Report of Messrs. Faucher and Higgott, June 30, recommending approval of Extra Work Claim No. 2, in the amount of $5,934.86, for Additional Work - Cylinder Rack Connection Large Lock, on Contract No. P78-0667-C1A, with J. F. White Contracting Company, for Rehabilitation of the Amelia Earhart Dam, Navigational Locks and Flood Control Pumping Station in the Cities of Somerville and Everett. Account No. 2440-8886.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 2, in the amount of $5,934.86.

5. Report of Messrs. Faucher and Chan, June 29, on bids for Asbestos Abatement - Beaver Brook Reservation Headquarters, Contract No. P89-1559-C1A.
(Messrs. Faucher and Chan recommend rejection of the only bid, that of U.S. Coatings Collaborative Inc., of $5,490.00, due to the lack of funds and the bid being approximately 49% over Engineer's estimate).
The Commission V O T E D: to reject the only bid received, that of U.S. Coatings Collaborative, Inc.

6. Report of Messrs. Faucher and Kerwin, June 27, recommending the following on Contract No. P87-1480-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.
(a) That work be accepted as completed as of February 28, 1989.
(b) That Estimate No. 13 (Final), in the amount of $47,060.75, be approved for payment.
(c) That reserve, in the amount of $5,602.79, be approved for payment.

(Basis of Award	-	$248,700.00)
(Total to Date	-	$362,129.39)

(Contract Administration Rating - 4.00)
(EEO Compliance - 4.25)
The Commission V O T E D: that work of Coviello Electric and General Contracting Co., Inc., Contractor under Contract No. P87-1480-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts be and hereby is accepted as completed as of February 28, 1989.
The Commission further V O T E D: to approve Estimate No. 13 (Final), in the amount of $47,060.75, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,602.79, for payment.

1. Report of Messrs. Faucher and Higgott, June 30, recommending approval of Extra Work Claim 3, in the amount of $4,027.21 for Miscellaneous Hydraulic Repair/Retro-fitting of Lock #1 Culvert Operators, on Contract No. P78-0667-C1A, with J. F. White Contracting Company, for Amelia Earhart Dam Navigational Lock and Flood Control Pumping Station in the Cities of Somerville and Everett. Account No. 2440-8886.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 3, in the amount of $4,027.21.

Action was taken upon the following matters relating to the Central Services Division:

2. Report of Mr. Lydon, June 22, recommending approval to extend the Service Contract from July 1, 1989 to June 30, 1990, with Bear Automotive Service Equipment Company, for servicing computerized engine exhaust analyzer and inspection equipment at the MDC's North Central Garage in Stoneham - at a cost of $2,050.00. Account No. 2440-0010-12.
The Commission V O T E D: to extend the Service Contract from July 1, 1989 to June 30, 1990, with Bear Automotive Service Equipment Company, for servicing computerized engine exhaust analyzer and inspection equipment at the MDC's North Central Garage in Stoneham - at a cost of $2,050.00.

3. Report of Mr. Lydon, June 22, recommending approval to extend the Service Contract from July 1, 1989 to June 30, 1990, with Simplex Time Recorder Company, for Testing Services for the Fire Alarm System at the MDC Revere Beach Police Station - at a cost of $700.00. Account No. 2440-0010-12.
Associate Commissioner Jones asked that Mr. Lydon review fire safety standards at all MDC facilities to insure that adequate steps are being taken to protect employees and visitors. He then requested that Headquarters Building be the first building to be reviewed.
The Commission V O T E D: to extend the Service Contract from July 1, 1989 to June 30, 1990, with Simplex Time Recorder Company, for Testing Services for the Fire Alarm System at the MDC Revere Beach Police Station - at a cost of $700.00.

4. Report of Mr. Lydon, June 22, recommending approval to extend the Service Contract from July 1, 1989 to June 30, 1990, with Atlas Elevator Company, for providing monthly lubrication and inspection of the MDC's Revere Beach Police Station Elevator - at a cost of $74.00 per month. Account No. 2440-0010-12.
The Commission V O T E D: to extend the Service Contract from July 1, 1989 to June 30, 1990, with Atlas Elevator Company, for providing monthly lubrication and inspection of the MDC's Revere Beach Police Station Elevator - at a cost of $74.00 per month.

5. Report of Mr. Lydon, June 22, recommending approval to extend the Service Contract from July 1, 1989 to June 30, 1990, with Special Agents Systems, Inc., for Monitoring a Burglar Alarm System at the MDC's Randolph M.S.U. Office - at a cost of $1,775.64. Account No. 2440-0010-12.
The Commission V O T E D: to extend the Service Contract from July 1, 1989 to June 30, 1990, with Special Agents Systems, Inc., for Monitoring a Burglar Alarm System at the MDC's Randolph M.S.U. Office - at a cost of $1,775.64.

1. Report of Mr. Lydon, June 29, on bids for providing paging equipment and service to the Central Services Division. Account No. 2440-0010.
(Mr. Lydon recommends acceptance of the low bid, that of Metromedia of $3,871.20).
The Commission V O T E D: to accept the lowest bid, that of Metromedia of $3,871.20.

Action was taken upon the following matter relating to the Zoos:

2. Report of Dr. Goldstein, July 3, requesting permission to advertise project for Pest Control Services at the Walter D. Stone Zoo and the Franklin Park Zoo for Fiscal Year 1990 - Cost not to exceed $15,000.00. Account No. 03-201.
The Commission V O T E D: approved.

3. At this point, Associate Commissioner Scandrett stated that he and his family attended the concert and fireworks display at the Hatch Shell on July 4th. He noted that he was tremendously impressed by the performance of all Metropolitan District Commission employees involved in the activities.
He then spoke of the cooperation and good nature of the event's attendees. This, he felt, was clearly a reflection of the attitude displayed by Metropolitan District Commission employees.
The Commission then moved that the Secretary distribute a copy of this extract to Metropolitan District Commission employees expressing the Commission's thanks for a performance which did not go unnoticed by either the Commission or those attending the activities at the Hatch Shell on July 4th.

4. At this point, Secretary Chisholm noted that the Concession Selection Committee is currently conducting interviews with individuals who submitted proposals for the operation of the Concessions at Stone and Franklin Park Zoos. He noted that since the withdrawal of Boston Zoological Society, the zoos have been operating without the service of a concessionaire.
He then requested, on behalf of the Concession Selection Committee, that the Committee be authorized to issue a temporary permit for the sale of light refreshments and soft drinks at the Stone and Franklin Park Zoos. The authorization will remain in force until such time as a Concessionaire is recommended by the Committee and approved by the Commission.
The Commission V O T E D: Approved.
Associate Commissioner Jones did not participate in discussion nor vote on this matter.

The following matter was placed on the agenda for the information of the Commission:

5. The following schedules were approved for payment by the Commissioner during the period from June 19, 1989 to June 26, 1989.

Expenditures	$14,046.46
Summer Youth	$ 9,346.50

Adjourned at 11:45 a.m. to meet on Thursday, July 20, 1989 at 10:00 a.m.

William F. Cullen
Secretary

Record of the Three Thousand Four Hundred and Ninety First (3491st) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 20, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meetings held on June 22, 1989 and June 29, 1989 were read and approved.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

1. Report of Messrs. Faucher and Mayhew, May 26, recommending the following on Contract No. P87-1489-C1A, with Allied Weatherproofing Co., Inc., for Repairs to the Allied Veterans Rink, Everett and the Bryan Rink, West Roxbury -
(a) That work be accepted as completed as of November 30, 1988.
(b) That Estimate No. 3 (Final), in the amount of $35,520.50, be approved for payment.
(c) That reserve, in the amount of $18,344.50, be approved for payment.
(Basis of Award - $342,000.00)
(Total to Date - $371,805.53)
(Contract Administration Rating - 4.00)
(EEO Compliance - 4.75)
The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., Contractor under Contract No. P87-1489-C1A, for Repairs to the Allied Veterans Rink, Everett and the Bryan Rink, West Roxbury, be and hereby is accepted as complete as of November 30, 1988.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $35,520.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $18,344.50, for payment.

2. Report of Messrs. Faucher and Arinella, July 10, recommending approval to increase quantities on Item No. 2A, Hourly Rate for Hydraulic Mechanic, at an increase cost of $9,056.00 on Contract No. P86-1422-M1A, with Kennett Corporation, for Servicing Hydraulic Systems at Charles River Dam, Charlestown.
(No additional funding required as sufficient quantities remain in other items to off-set the revision).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Arinella in their report of July 10, 1989.

3. Report of Messrs. Faucher and Okeke, July 12, recommending approval of an extension of time from August 9, 1989 to October 8, 1989, on Contract No. P89-1554-C1A, with Balfour Engineering Co., Inc., for Charles River Basin Destratification Facilities Installation and Maintenance of a Compact Air Compressor System at Fens Gate House, Boston.
The Commission V O T E D: to approve an extension of time from August 9, 1989 to October 8, 1989, as recommended by Messrs. Faucher and Okeke in their report of July 12, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Watershed Management Division:

4. Report of Mr. McGinn, July 10, recommending the following on Contract No. WM89-025-X1A, with Eileen Simonson, for services as Liaison Officer - MDC/MWRA -
(a) That work be accepted as completed as of June 30, 1989.
(b) That Invoice No. 10 (Final), in the amount of $2,408.00, be approved for payment.
(Basis of Award - $37,480.00)
(Total to Date - $36,437.05)
(Consultant Rating - 8.00 - 10.00 being excellent)

The Commission V O T E D: that the work of Eileen Simonson, Consultant under Contract No. WM89-025-X1A, for services as Liaison Officer - MDC/MWRA, be and hereby is accepted as completed as of June 30, 1989.
The Commission further V O T E D: to approve Invoice No. 10 (Final), in the amount of $2,408.00, for payment.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Messrs. Rodrigues and Morris, July 20, requesting preliminary authorization for the Commissioner to execute an Agreement with the Massachusetts Bay Transportation Authority (MBTA) transferring control of parkland properties constructed as part of the Southwest Corridor Project from MBTA to MDC for the purpose of maintenance, programming and police jurisdiction.
Mr. Morris presented a history of the Southwest Corridor project from its inception in 1974 to the present day. He then noted that he would be requesting authorization from the Commission for the Commissioner to execute the Memorandum of Understanding transferring the Southwest Corridor parklands from MBTA to the Metropolitan District Commission.
At this point, Associate Commissioner Jones and Scandrett continued to express concerns with commitments made by the MBTA regarding the Southwest Corridor and also growth in the operating budget from the one which was originally presented to the Commission.
Mr. Morris then addressed the Commission's concerns with regards to Police matters including prior plans for a Metro Police Station in the Corridor; policing of the Copley Place section of the Corridor and the Police and maintenance budgets.
Mr. Morris also responded to questions, by the Commission, regarding the Corridor's organizational flow-chart. He then spoke of the Division's relationship with the abutting communities and his belief that all community concerns have been addressed.
Following a lengthy discussion, regarding budget matters, Commissioner Bhatti was authorized to execute the Memorandum of Understanding on behalf of the Commission. This authorization to be effective after a complete review of the Memorandum of Understanding and all fiscal matters effecting the Southwest Corridor's budget are addressed by the Commission and appropriate staff.
An Executive Summary of the presentation, and a copy of the draft Memorandum of Understanding with the Massachusetts Bay Transportation Authority, is on file in the Secretary's Office.
The Commission V O T E D: to authorize the Commissioner to execute the Agreement with the Massachusetts Bay Transportation Authority (MBTA) which transfers control of parkland properties constructed as part of the Southwest Corridor Project from the MBTA to the MDC for the purpose of maintenance, programming and police jurisdiction.

Action was taken upon the following Various Matter:

2. Report of Mr. Wright, July 13, requesting approval to renew Contract-Agreement with Attorney Thomas F. McKenna, for Professional Services Representing the MDC in Employee and Labor Matters including Hearings before Civil Service Commission, etc. Total Compensation not to exceed $24,900.00 - Time for Performance July 1, 1989 to June 30, 1990.
Mr. Wright further requests that the Commission execute the Contract-Agreement.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated July 20, 1989, with Attorney Thomas F. McKenna, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matter relating to the Right of Way Division:

3. Report of Mrs. Anderson, July 17, recommending that the Commission amend the Order of Taking for permanent and temporary

easements, in the City of Lynn, adopted at the Meeting of June 1, 1989.
Mrs. Anderson stated that the Right of Way Division has re-examined the effects of the taking upon the property owners and has, where appropriate, entered into negotiations with them or their representatives.
She explained that the Leslie S. And Stuart B. Rosenberg Trust parcel is used as a car dealership (Atlantic Chrysler). The temporary easement will involve the loss of between 5 and 10 parking spaces - while the permanent easement will involve the loss of 5 parking spaces, she stated.
Mrs. anderson then explained that the parcels owned by Electric Mutual Liability Insurance Company are presently vacant with a locked entranceway. The temporary easement will not adversely effect the remaining land, she noted. However, she pointed out, the permanent easement will restrict the owners from building any structures on the parcel. She then stated that the Insurance Company's entrance will be improved as a result of the betterments. Federal and State case laws, she explained, prevent the Commission from considering betterments in awards of damage for takings.
Mrs. Anderson then explained that she had conferred with the Attorney for the Insurance Company and he stated that the Company is unwilling to consider less than fair market value.
At this point, Associate Commissioner Scandrett questioned whether Electric Mutual Insurance Company is a wholly owned subsidiary of General Electric. He then requested that the matter be clarified by the Right of Way Division.
Associate Commissioner Whelan expressed his concern with regards to the cost of the temporary easement. He then requested that the Division investigate the possibility of paying the damages on a monthly or quarterly basis and when the easement is no longer needed return the parcel to the owner. This, he stated, could result in significant savings for the Commission.
Mrs. Anderson stated that the Parks Engineering and Construction Division had requested that the temporary easements be for a period of two years.
The Commission V O T E D: Approval to amend the Order of Taking for permanent and temporary easements, in the City of Lynn, adopted at the Meeting of June 1, 1989, to read as follows:

PARCEL	OWNER	SQUARE FEET	RECOMMENDED AWARD
J (Permanent)	Leslie S. Rosenberg and Stewart B. Rosenberg, Trustees of Trans Continental Realty Trust	103 sq.ft.	$ 1,236.00
G (Temporary)	Leslie S. Rosenberg and Stewart B. Rosenberg, Trustees of Trans Continental Realty Trust	340 sq.ft.	$ 1,632.00
A (Permanent)	Electric Mutual Liability Insurance Company	3,225 sq.ft.	$12,900.00
D (Temporary)	Electric Mutual Liability Insurance Company	2,700 sq.ft.	$ 8,640.00.

The Commission further V O T E D: that the award of damages to Electric Mutual Insurance Company is approved, provided that Electric Mutual Insurance Company is not a wholly owned subsidiary of General Electric Company.
Associate Commissioner Jones abstained from voting on this item. He stated that he will not vote on any Order of Taking until such time as each Order of Taking has been reviewed by legal counsel.

Action was taken upon the following matter relating to the Planning Division:

1. Report of Mrs. O'Brien and Mr. Orfant, June 29, requesting preliminary approval for a Care and Control Agreement between the MDC and the Town of Saugus for 60 acres of land in East Saugus for flood and natural resource protection.

Mr. Orfant presented a brief history of the parcel of land which was taken by the Massachusetts Department of Public Works in 1966 as a roadbed for Interstate Route 95. Plans for the roadway were subsequently abandoned, but not before a substantial sand embankment had been constructed across the marsh in Revere and Saugus, he explained.

He then stated that the land is being transferred to the Town of Saugus by DCPO with a condition for a care and control agreement with the MDC.

Mr. Orfant then explained that the sand has been tested and found suitable for a sanding project at Revere Beach which is badly eroded and in need of resanding.

Associate Commissioner Jones suggested that staff contact Professor Einstein at the Massachusetts Institute of Technology with regards to his findings concerning the stability of the mounds of sand.

Mr. Orfant then noted that it is in the Commission's best interest to enter into the Care and Control Agreement which is a no cost and low maintenance acquisition. It will not only provide substantial flood control benefits but will also protect valuable natural resources and offers the opportunity for a natural reservation similar to the nearby Belle Isle Marsh Reservation, he explained.

This acquisition, he stated, is consistent with the MDC's network of parks which Charles Eliot envisioned a century ago.

Following the discussion, the Commission V O T E D: to grant preliminary approval for a Care and Control Agreement between the MDC and the Town of Saugus for 60 acres of land in East Saugus for flood and natural resource protection.

At this point, the Commission commended the staff of the Planning Office and Community Affairs for their outstanding efforts in this matter.

The following matters were placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from June 26, 1989 to July 3, 1989.

Expenditures	$22,596.19
Summer Youth	$10,040.42

3. The following schedules were approved for payment by the Commissioner during the period from July 3, 1989 to July 10, 1989.

Expenditures	$2,147,332.19
Summer Youth	$ 12,872.64

Adjourned at 1:10 p.m. to meet on Thursday, July 27, 1989 at 10:00 a.m.

William F. Cheney
Secretary

Record of the Three Thousand Four Hundred and Ninety Second (3492nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 27, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on July 6, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement No. P82-1024-X1A, dated July 27, 1989, with Michael J. Angeri, P.E., for services as Project Manager for Water Resources Projects.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

2. Report of Messrs. Faucher and Jackson, June 28, recommending the following on Contract No. P89-1561-C1A, with Forte Landscape & Construction Co., for Planting Cherry Trees Along Mystic River Reservation, Chelsea, Massachusetts -
(a) That work be accepted as completed as of June 16, 1989.
(b) That Estimate No. 1 (Final), in the amount of $8,360.00, be approved for payment.
(c) That reserve, in the amount of $440.00, be approved for payment.
(Basis of Award - $6,875.00)
(Total to Date - $8,800.00)
(Contract Administration Rating - 3.857)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Forte Landscape & Construction Co., Contractor under Contract No. P89-1561-C1A, for Planting Cherry Trees Along Mystic River Reservation, Chelsea, Massachusetts, be and hereby is accepted as complete as of June 16, 1989.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $8,360.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $440.00, for payment.

3. Report of Messrs. Faucher and Higgott, July 12, recommending that the Commission correct its votes of July 6, 1989 on Contract No. P78-0667-C1A, with J. F. White Contracting Company, for Rehabilitation of the Amelia Earhart Dam, Navigational Locks and Flood Control Pumping Station in the Cities of Somerville and Everett, as follows -
Extra Work Claim No. 1 - change to read Extra Work Claim No. 3
Extra Work Claim No. 2 - change to read Extra Work Claim No. 4
Extra Work Claim No. 3 - change to read Extra Work Claim No. 5 -
other provisions of the votes of July 6, 1989, will remain in force.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Higgott in their report of July 12, 1989.

4. Report of Messrs. Faucher and McCalla, July 13, recommending the following on Contract No. P88-1510-M1A, with F M Emergency Generator, for Annual Preventative Maintenance and Repair for Prime Power and Emergency Generators -
(a) That work be accepted as completed as of June 30, 1989.
(b) That Estimate No. 8 (Final), in the amount of $4,384.22, be approved for payment.
(c) That reserve, in the amount of $2,184.82, be approved for payment.
(Basis of Award - $55,992.00)
(Total to Date - $43,696.39)
(Contract Administration Rating - 4.80)
(EEO Compliance - 4.75)
The Commission V O T E D: that the work of F M Emergency

Generator, Contractor under Contract No. P88-1510-M1A, for Annual Preventative Maintenance and Repair for Prime Power and Emergency Generators, be and hereby is accepted as complete as of June 30, 1989.
The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of $4,384.22, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,184.82, for payment.

1. Report of Messrs. Faucher and Young, July 19, recommending approval to increase quantities on Item 7, Electric Handhole, at an increase cost of $2,500.00, on Contract No. P77-0404-C2A, with Vigil Electric Company, for Lighting Modernization, Memorial Drive, Wadsworth Street, Cambridge to 300 feet West of Fowler Street - Including 900 feet Frontage - J. F. Kennedy Park. (No additional funding required as the anticipated cost of the contract will be under the total bid).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Young in their report of July 19, 1989.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn, July 21, submitting Work Schedule Form and Project Summary Form and requesting approval of Project No. WM90-001-X1A - Water Quality Laboratory Services. Maximum cost of project will be $25,000.00. Time for Performance will be one year. Account No. 2420-1400.
The Commission V O T E D: Approved.

3. Report of Mr. McGinn, July 21, submitting Work Schedule Form and Project Summary Form and requesting approval of Project No. WM90-002-S1A - Watershed Management Pilot Planning Project. Maximum cost of Project will be $50,000.00. Time for Performance estimated at one year - extending into Fiscal Year 1991. Account No. 2420-1400.
The Commission V O T E D: Approved.

4. Report of Mr. McGinn, July 21, submitting Work Schedule Form and Project Summary Form and requesting approval of Project No. WM-90-003-S1A - Evaluation of Non-Point Pollution Treatment Alternative. Maximum cost of Project will be $50,000.00. Time for Performance estimated at one year - extending into Fiscal Year 1991. Account No. 2420-1400.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

5. Report of Mr. VanWart, July 19, submitting for approval and signature revised Agreement, with Massachusetts Audubon Society, for operation of Trailside Museum and Chickatawbut Hill Environmental Center in the Blue Hills for the period from July 1, 1989 through June 30, 1992, and shall be automatically renewed every three years thereafter unless terminated as provided in Article 8 of the Agreement.
The Commission discussed the revised Agreement in detail with Mr. Tomlin and V O T E D: Held Over pending further review of the Agreement by the Legal Counsel, Contract Administrator, Director of Reservations and Historic Sites, and Commissioner Bhatti. Associate Commissioner Jones questioned if the Massachusetts Audubon Society has complied with all terms and conditions of the prior Agreement - including presentation to the MDC of a complete and satisfactory financial statement. Mr. Tomlin stated that he was not positive if all conditions were met, however, he would check further and report back to the Commission.

6. At this point, Ms. Marjorie Jeffries of Milton, representing the Friends of the Blue Hills, presented the Commission with a petition signed by twenty five users of the Blue Hills Reservation reading as follows: "We the undersigned, users of the Blue Hills Reservation, would like the gates closed for the day on weekends

and holidays during the Spring, Summer and Fall seasons for the enjoyment of Recreation.
As safety is of paramount concern due to the high speed traffic using the Blue Hills Reservation as a short cut between Route 128 and the South East Expressway, etc."
Ms. Jeffries then noted that a section of a closure gate located at Chickatawbut Road was badly damaged last fall and the roadway is no longer closed to traffic, at certain times of the year, as approved by the Commission.
Mr. Ross Tomlin, of the Blue Hills staff, was in attendance at the Commission meeting and was authorized by the Commission to take whatever action he deems necessary to insure that the closure gate is made operational.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from July 10, 1989 to July 17, 1989.

Expenditures	$355,646.55
Summer Youth	$ 15,514.95

Adjourned at 11:45 a.m. to meet on Thursday, August 3, 1989 at 10:00 a.m.

William F. Cheek
Secretary

Record of the Three Thousand Four Hundred and Ninety Third (3493rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 3, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on July 20, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. **R E S O L U T I O N**

"RESOLVED: That the Metropolitan District Commission, assembled in its Meeting held on August 3, 1989, does hereby take notice of the recent retirement of Rosario J. Grasso, Laboratory Supervisor at the Department of Environmental Protection's Lawrence Experiment Station, following 36 years of conscientious and dedicated service to the residents of the Commonwealth of Massachusetts and for the outstanding contribution he has made towards improvements to the Commission's bacteriological programs including assistance in Certification of the Quabbin and Wachusett Water Quality Laboratories; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many, and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of the Meeting; and that the Secretary prepare a suitably inscribed copy of the Resolution for presentation to Mr. Grasso.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

2. Report of Messrs. Faucher and Higgott, July 11, recommending approval of Extra Work Claim No. 6, in the amount of $3,323.26, for Emergency Work - Gate Operating Cylinder - Small Lock #1, on Contract No. P78-0667-C1A, with J. F. White Contracting Company, for Rehabilitation of the Amelia Earhart Dam, Navigational Locks and Flood Control Pumping Station in the Cities of Somerville and Everett. Account No. 2440-8886.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 6, in the amount of $3,323.26, for Emergency Work - Gate Operating Cylinder - Small Lock #1.

3. Report of Messrs. Faucher and Terzian, June 20, recommending the following on Contract No. P87-1455-M2A, with J. M. Cashman, Inc., for Flood Control Network Clean-up and Repair Contract, Malden, Melrose and Revere -
(a) That work be accepted as completed as of May 15, 1989.
(b) That Estimate No. 5 (Final), in the amount of $17,733.33, be approved for payment.
(c) That reserve, in the amount of $18,626.66, be approved for payment.
(Basis of Award - $378,500.00)
(Total to Date - $372,533.32)
(Contract Administration Rating - 4.00)
(EEO Compliance - 4.25)
The Commission V O T E D: that the work of J M Cashman, Inc., Contractor under Contract No. P87-1455-M2A, for Flood Control Network Clean-up and Repair Contract, Malden, Melrose and Revere, be and hereby is accepted as completed as of May 15, 1989.
The Commission further V O T E D : to approve Estimate No. 5 (Final), in the amount of $17,733.33, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $18,626.66, for payment.

4. Report of Messrs. Faucher and Giella, July 31, on bids for Annual Maintenance of Carpeting at the MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, FY90 and FY91, Contract No. P89-1565-M1A.

(Messrs. Faucher and Giella recommend that both bids received be rejected, due to improperly filled in Proposal Forms. Messrs. Faucher and Giella further recommend that authority be given to readvertise the project).
The Commission V O T E D: to reject both bids.
The Commission further V O T E D: Approval to readvertise as recommended by Messrs. Faucher and Giella in their report of July 31, 1989.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn, July 26, on proposals for the purchase of forest products located on the Quabbin, Ware River, and Wachusett Reservoir Watersheds.
The Commission V O T E D: to accept the only qualified bid, that of Forest Energy Resources, of $2,025.00; to purchase approximately 46,695 board feet of sawlogs, 285 cords of firewood and 23 cords in tops on Timber Sale No. 85 - Wachusett Reservoir Watershed; Forest Energy Resources, will also perform $1,700.00 of additional work that is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the only qualified bid, that of Straw Hollow Kennels & Farm, of $928.60; to purchase approximately 21,215.00 board feet of sawlogs, 8 cords of firewood and 34 cords of pulp on Timber Sale No. 86 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Wheeler Logging, of $2,400.00; to purchase approximately 17,610 board feet of sawlogs and 84 cords of firewood on Timber Sale No. 154A - Ware River Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of LeCours and Son Firewood, of $65.00; to purchase approximately 7,380.00 board feet of sawlogs and 52 cords of firewood on Timber Sale No. 571A - Quabbin Reservoir Watershed; LeCours and Son Firewood, will also perform $260.00 of additional work that is considered partial payment for the sawlogs.

2. Report of Mr. McGinn, July 31, recommending that work on Contract No. WM87-003-S1A, with Louis Berger & Associates, for Field Testing for Required Impact Assessment for Cultural Resources be accepted as completed.
Mr. McGinn further recommends acceptance of Work Schedule Form and Project Summary and Justification and approval of Project No. WM87-003-S2A, with Louis Berger & Associates, for Field Testing for Required Impact Assessment for Cultural Resources, estimated cost of Contract not to exceed $48,000.00.
Account No. 2420-1400.
Associate Commissioner Whelan questioned the advisability of awarding this contract, noting that the $48,000.00 might better be utilized to fund salaries of employees who could be laid-off due to current financial constraints.
Mr. O'Connor explained that this project is mandated by law and must be completed within the next year.
The Commission V O T E D: that work on Contract No. WM87-003-S1A, with Louis Berger & Associates, for Field Testing for Required Impact Assessment for Cultural Resources be and hereby is accepted as completed.
The Commission further V O T E D: Approval of Project No. WM87-003-S2A, with Louis Berger & Associates, for Field Testing for Required Impact Assessment for Cultural Resources, estimated cost of Contract not to exceed $48,000.00.
Associate Commissioner Jones did not participate in discussion nor vote on this matter.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

3. Report of Mr. VanWart, July 19, submitting for approval and signature revised Agreement, with Massachusetts Audubon Society, for operation of Trailside Museum and Chickatawbut Hill Environmental Center in the Blue Hills for the period from July 1, 1989 through June 30, 1992, and shall be automatically renewed every three years thereafter unless terminated as provided in Article 8 of the Agreement.
The Commission V O T E D: Held Over.

1. At this point, on a motion by Associate Commissioner Scandrett, the Commission voted to direct the Secretary to confer with the Director of Watershed Management and the Director of Parks Engineering and Construction with regards to their submitting a quarterly written report to the Commission concerning status of various Contracts and Projects within their respective Divisions. The first written report will be due October 2, 1989. If the Commission has any questions concerning the reports, as submitted, the Division Director should be available at the following weeks meeting to respond.

Action was taken upon the following matter relating to the Zoos:

2. Report of Dr. Goldstein, August 1, 1989, recommending approval of a new fee structure for the Franklin Park Zoo and the Walter D. Stone Memorial Zoo.
The Commission V O T E D: Held Over.

3. At this point, Dr. Goldstein presented an in-depth report on the status of the MetroParks Zoos in which he highlighted the Zoos Missions and Goals.
He spoke of the relationship of the Boston Zoological Society and the absorption of the Society's responsibilities of operations and management by the MDC.
Dr. Goldstein outlined plans for the impending opening of the new African Tropical Forest Pavilion. He then reviewed various activities which will be taking place prior to the Grand Opening of the facility.
Following a review of personnel staffing, Associate Commissioner Jones questioned the need for a Public Affairs Director and a Civil Engineer being assigned to MetroParks Zoos. Dr. Goldstein explained that when staffing of the zoos was presented to former Commissioner Geary and the State Department of Personnel Administration for approval, they concurred that there was a need for both positions within the framework of the MetroParks Zoos. Dr. Goldstein then noted that both individuals interact closely with Headquarters Public Information and Engineering staff concerning zoo matters.
At this point, due to time constraints, the remainder of the presentation including a proposed fee schedule review for the zoos was postponed until the Commission Meeting of August 10, 1989.
A copy of the MetroParks Zoos Missions and Goals Statement; a listing and resume of key zoo staff; a schedule of upcoming events at the Tropical Forest Pavilion; a personnel table of organization and a listing of animals to be on display at the Pavilion are on file in the Secretary's Office.

The following matter was placed on the agenda for the information of the Commission:

4. The following schedules were approved for payment by the Commissioner during the period from July 17, 1989 to July 24, 1989.

Expenditures	$307,549.71
Summer Youth	$ 15,937.04

Adjourned at 12:35 p.m. to meet on Thursday, August 10, 1989 at 10:00 a.m.

William F. Cunll
Secretary

Record of the Three Thousand Four Hundred and Ninety Fourth (3494th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 10, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on July 27, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P89-1564-C1A, dated August 10, 1989, with J. F. Walton, Inc., for Franklin Park Zoo Duck Pond Cleaning.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

2. Report of Messrs. Faucher and Anders on petition of Boston for Grant of Location to place approximately 600' of 6" plastic gas main and related facilities to be used for the distribution of gas on Revere Beach Parkway in the City of Medford, Massachusetts, at a one-time fee of $900.00.
Associate Commissioner Jones did not participate nor vote on this Grant of Location.
ORDERED that, on petition of Boston Gas Company, dated May 10, 1989, for location, shown on Plan of Boston Gas Company dated November 1, 1988, entitled "Proposed Location of 6" Gas Main in Revere Beach Parkway - Medford, (MDC Highway)" to place in the City of Medford namely Revere Beach Parkway, as follows: a distance of approximately 600 feet, for a six-inch plastic gas main and related facilities, to be used for the distribution of gas, said location having been found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, August 10, 1989 at 10:00 A.M., in the Marilyn Morrison Commission Meeting Room of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require, said Boston Gas Company is hereby granted a location for said six-inch plastic main measuring approximately 600 feet, and related facilities, in Revere Beach Parkway in the City of Medford, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-
1. Boston Gas Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. Boston Gas Company shall do the work of installing said six-inch plastic gas main and related facilities therein, the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.
3. Boston Gas Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.
4. Boston Gas Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.
5. Boston Gas Company shall take all possible measures during

construction to reduce the impact on the area.

6. Boston Gas Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said six-inch plastic gas main and related facilities therein, may hereafter become necessary.
7. Boston Gas Company to pay a one-time fee of $900.00 for the 600 feet of underground installation of gas main, to be used for the distribution of gas and to be owned by the petitioner, in Revere Beach Parkway in the City of Medford, Massachusetts.
8. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits, and subject to conditions imposed by him.

1. Report of Messrs. Faucher and Chan, August 3, recommending approval to revise quantities on Item No. 12C, Cement Concrete Base Course, at a cost of $1,160.00, on Contract No. P78-0668-C1A, with R. J. Delmonico, Inc., for Reconstruction of Connell Field. Account No. 2440-7885.
Associate Commissioner Whelan spoke of the miscalculations by the Consultant on this contract. He then questioned if the Commission is now requiring Consultants to provide a copy of their professional liability insurance policy, rather than an insurance binder. Mr. Jewett responded in the affirmative.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Chan in their report of August 3, 1989.

2. Report of Mr. Faucher, July 31, recommending the following on Contract No. P87-1449-M1A, with GHR Analytical, Inc., for Water Quality Testing, MDC Recreational Waters, 1987-1989 -
(a) That work be accepted as completed as of June 30, 1989.
(b) That Invoice No. 19, in the amount of $3,000.00, be approved for payment.
(Basis of Award - $60,000.00)
(Total to Date - $58,772.00)
(Consultant Evaluation Rating - 9.50 - Scale of 1 to 10)
The Commission V O T E D: that the work of GHR Analytical, Inc., Contractor under Contract No. P87-1449-M1A, for Water Quality Testing, MDC Recreational Waters, 1987-1989, be and hereby is accepted as completed as of June 30, 1989.
The Commission further V O T E D: to approve Invoice No. 19, in the amount of $3,000.00, for payment.

3. Report of Messrs. Faucher and Lespasio, August 4, recommending approval of Alteration No. 2, in the amount of $177.67, for Modification of Mast Arm, Item No. 159, (Traffic Control Signal Type 3W - at Location No. 10), on Contract No. P82-1047-C2A, with John Mahoney Construction Company, Inc., for Rehabilitation of Lynnway/Carroll Highway. Account No. 2490-0010.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of August 4, 1989.

4. Report of Mr. Jackson, August 1, recommending the following on Contract No. P88-1533-C1A, with T & M Landscape Nursery, Inc., for 1988/1989 Parkway Tree Planting -
(a) That work be accepted as complete as of December 16, 1988.
(b) That Interest on Late Payment, in the amount of $1,041.75, be approved for payment.
(c) That Negotiated Settlement, in the amount of $12,584.70, be approved for payment.
(d) That reserve, in the amount of $6,637.65, be approved for payment.
(Basis of Award - $216,651.00)
(Total to Date - $146,379.45)
(Contract Administration Rating - 3.857)
(EEO Compliance - 4.250)
The Commission discussed the negotiated settlement and then spoke of the advisability of including a termination clause in future contracts.

Associate Commissioner Jones stated that the inclusion of the clause could result in a marked increase in bid prices on Commission contracts.
The Commission V O T E D: that the work of T & M Landscape Nursery, Inc., Contractor under Contract No. P88-1533-C1A, for 1988/1989 Parkway Tree Planting, be and hereby is accepted as completed as of December 16, 1988.
The Commission further V O T E D: that Interest on Late Payment, in the amount of $1,041.75, be approved for payment.
The Commission further V O T E D: that Negotiated Settlement, in the amount of $12,584.70, be approved for payment.
The Commission further V O T E D: that reserve, in the amount of $6,637.65, be approved for payment.

1. Report of Messrs. Faucher and Carrigan, August 2, on request of Reynolds Brothers, Inc., Contractor on Contract No. P89-1552-C1A - Construction of Parking Lot, Franklin Park Zoo, for approval of the following sub-contractors -

Markings, Inc.	- Item 03-020 Pavement Markings	- $ 7,810.00
Expert Fence Corp.	- Item 042-020 Guard Rail and Fencing	- $ 30,500.00
Liddell Company	- Item 030-038 Traffic Signs	- $ 3,350.00
Blanchard Brothers Landclearing	- Item 002-010 Land Clearing	- $ 6,000.00
Tri State Signal, Inc.	- Item 025-010 Item 045-010 Traffic Signals and Street Lighting	- $115,400.00
Handford Oil and Asphalt Co., Inc.	- Item 005-010 Bituminous Paving.	- $259,000.00

The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Lespasio, August 7, recommending that the Commission approve and execute an Agreement between the Town of Swampscott and the MDC for the installation of a 24 inch ductile iron sewer force main, approximately 3,200 lineal feet in length, along the Lynnway.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated August 10, 1989, between the Town of Swampscott and the MDC which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Rodrigues, August 4, recommending that entrance fees be waived on August 18, at the Cass Pool; August 21, at the Franklin Field Pool and August 25, at the Cass Pool in conjunction with special programs to be presented at both pools.
The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of August 4, 1989.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

4. Report of Mr. VanWart, July 19, submitting for approval and signature revised Agreement, with Massachusetts Audubon Society, for operation of Trailside Museum and Chickatawbut Hill Environmental Center in the Blue Hills for the period from July 1, 1989 through June 30, 1992, and shall be automatically renewed every three years thereafter unless terminated as provided in Article 8 of the Agreement.
The Commission V O T E D: Delete from Agenda.

Action was taken upon the following Various Matters:

5. Report of Ms. Mayoue, August 4, submitting for approval and signature Agreement with Beacon Heights Limited Partnership for acquisition of a Conservation Restriction on a parcel of land located at 600 Beacon Street, Newton, Massachusetts.
The Commission V O T E D: Approved.

The Secretary then submitted for signature Agreement, dated August 10, 1989, with Beacon Heights Limited Partnership which was signed by the Commissioner and four Associate Commissioners.

1. Report of Concession Selection Committee, August 7, regarding award of the Concession at Stone Zoo and Franklin Park Zoo for the remainder of 1989-1990 and 1991.
The Commission V O T E D: to approve the award of a permit to WesCo Concessions, Inc. for a three year period commencing on execution of Permit with a fee structure as follows:

Initial	Contract payment	-	$ 2,000.00
$0.125	Per capita attendance up to 500,000	-	$64,500.00
$0.150	Per capita attendance between 500,000 and 750,000	-	$37,500.00
$0.400	Per capita attendance over 750,000	-	to be determined by admissions
2.5%	Financial kicker for WesCo's gross sales above $2,000,000.00.		

An annual review of performance will be conducted over the permit period by the Director or his designee.
Associate Commissioner Jones did not participate nor vote on this matter.

Action was taken upon the following matter relating to the Zoos:

1. Report of Dr. Goldstein, August 1, 1989, recommending approval of a new fee structure for the Franklin Park Zoo and the Walter D. Stone Memorial Zoo.
Dr. Goldstein reviewed the proposed fee structure for both zoos and explained that the Commission was directed by the Legislature to establish admission charges for both facilities.
Commissioner Bhatti expressed his concern with regards to the fee structure as presented for adult and children's admissions at both zoos and in particular the children's fee.
Dr. Goldstein explained that the fee structure is in line with fees charged at similar facilities throughout the United States.
Associate Commissioner Whelan then stated that he was uncomfortable in charging the rates as presented for the Stone Zoo. He noted that the gorillas which were the Stone Zoo's biggest attraction, were recently moved to the Franklin Park Zoo.
Dr. Goldstein explained that new exhibits are being obtained and will be located at the Stone Zoo within the next few months.
Associate Commissioner Whelan then expressed his concern with regards to the overall condition of the Stone Zoo.
Following a lengthy discussion, the Commission V O T E D: to adopt the following admissions policy and fees:

1. **FRANKLIN PARK ZOO**
   (a) Adults 18 years and over, $5.00, Children 2 years to 17 years, $2.50 (If legislation so directed, otherwise Children 5 years to 17 years, $2.50). - Associate Commissioner O'Malley desired to be recorded as being opposed to this action of the Commission.
   (b) Senior Citizens - 65 years and over $2.50.
   (c) Uniformed Military and Students with I.D. $2.50.
2. **WALTER D. STONE MEMORIAL ZOO - TEMPORARY**
   (a) Adults 18 years and over, $4.00, Children 2 years to 17 years, $2.00 (If legislation so directed, otherwise Children 5 years to 17 years, $2.00). - Associate Commissioner O'Malley desired to be recorded as being opposed to this action of the Commission.
   (b) Senior Citizens - 65 years and over $2.00.
   (c) Uniformed Military and Students with I.D. $2.00. - Associate Commissioner Whelan abstained from voting on this item.
3. **FRANKLIN PARK ZOO AND WALTER D. STONE MEMORIAL ZOO**
   Every Tuesday afternoon from 12:00 noon until closing will be free hours and no admission will be charged.
4. **FRANKLIN PARK ZOO AND WALTER D. STONE MEMORIAL ZOO**
   The commencement of General Admission fees will be September 11, 1989, at both zoos.
5. Metro Parks Zoos employees and their immediate families, as defined by MDC Personnel Policy, are admitted into the zoos free of charge. The Commissioner is authorized to establish policy for other MDC employees.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from July 24, 1989 to July 31, 1989.

Expenditures	$154,135.13
Summer Youth	$ 15,426.70

Adjourned at 12:35 p.m. to meet on Thursday, August 17, 1989 at 10:00 a.m.

William F. Arnold
Secretary

Record of the Three Thousand Four Hundred and Ninety Fifth (3495th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 17, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on August 3, 1989 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P88-1540-M2A, dated August 17, 1989, with Kenneth Horn an Individual d/b/a/ Expert Lines, for Parking Lines for Parking Spaces at Various Locations of the Greater Boston Area.

2. Contract-Agreement, dated August 17, 1989, with Union and Confederate Volunteers, to provide a Civil War Reenactment and a Living History Program at Fort Warren, Georges Island.

3. Contract-Agreement, dated August 17, 1989, with Friends of the Boston Harbor Islands, Inc., to provide volunteers for Boston Harbor State Park.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

4. Contract-Agreement, dated August 17, 1989, with Louis Berger & Associate, for Required Impact Assessment for Cultural Resources.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

5. Report of Messrs. Faucher and Mayhew, July 10, recommending approval to increase quantities on the following -
Item No. 6 - Beach Excavation - $ 11,050.00
Item No. 9 - Ordinary Borrow - $ 20,800.00
Item No. 12 - Bedding Stone - $ 42,000.00
Item No. 15 - Rip Rap Revetment - $102,600.00
Item No. 31 - Masonry Joint Repair - $ 21,840.00
- Yacht Clubs
Item No. 61 - Granite Splash Blocks - $ 360.00
for a total increase of $198,650.00 on Contract No. P80-0793-C4A, with John Mahoney Construction Co., Inc., for Maritime Work, South Boston - Phase II.
(At the present time, it is estimated that no additional funding will be required as sufficient quantities remain in other items to off-set the increases).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Mayhew in their report of July 10, 1989.

6. Report of Messrs. Faucher and Mayhew, July 13, recommending approval of Extra Work Order No. 1, in the amount of $14,011.13, on Item 54, Concrete Masonry Repair, Spillway Bridge, as requested by the Contractor, on Contract No. P80-0793-C4A, with John Mahoney Construction Co., Inc., for Maritime Work, South Boston - Phase II.
(It appears that no additional funding will be required as there will be significant decreases in quantities on various items).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $14,011.13.

7. Report of Messrs. Faucher and Mayhew, August 11, recommending approval of an extension of time from July 15, 1988 to October 24, 1988, on Contract No. P87-1486-C1A, with Caesars Roofing, Inc., for Replacement of Four (4) Roofs at the Walter D. Stone Zoo, Stoneham, Massachusetts.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from July 15, 1988 to October 24, 1988, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Mr. Faucher and Ms. Peterson, August 4, recommending approval of an extension of time from August 20, 1989 to September 17, 1989, on Contract No. P82-1052-C1A, with Modern Continental Construction Co., Inc., for Proposed Bridge Improvements Philip Briggs Bowker Interchange - West Abutment. (At no additional cost to the Commission)
Associate Commissioner Jones requested that Parks Engineering work closely with the Planning Division in formulating plans for long-range improvements to the Bowker Interchange.
The Commission V O T E D: to approve an extension of time, from August 20, 1989 to September 17, 1989, as recommended by Mr. Faucher and Ms. Peterson in their report of August 4, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Giella, August 7, requesting approval of an extension of time from July 11, 1989 to October 27, 1989, on Contract No. P89-1557-C1A, with C.C.M. Corporation, for Replacement of Doors at the Aviary in the Stone Zoo, Stoneham, Massachusetts.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from July 11, 1989 to October 27, 1989, as recommended by Messrs. Faucher and Giella in their report of August 7, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Carrigan, August 10, recommending approval to revise quantities, on Contract No. P84-1315-C5A, with Trimount Bituminous Products Co., for Resurfacing of MDC Parkways, Various Locations, as follows:

Item No. 2	- Cold Planing	- $21,000.00
Item No. 7	- Bituminous Concrete	- $38,400.00
Item No. 17	- 4 inch Reflectorized Pavement Markings (Thermoplastic)	- $ 1,680.00
Item No. 18	- 8 inch Reflectorized Pavement Markings (Thermoplastic)	- $ 1,100.00
Item No. 19	- 12 inch Reflectorized Pavement Markings (Thermoplastic)	- $ 1,725.00

(No additional funding required as sufficient quantities remain in other items to offset the revisions).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Carrigan in their report of August 10, 1989.

4. Report of Mr. Jewett, August 11, submitting for approval Amendments to Contract-Agreements, (as approved on June 29, 1989), with Mary F. Clutchey and Jayne W. Brady, as follows:
1. Contract-Agreement No. P86-1402-X4A, with Mary F. Clutchey - Project Planner - extending expiration date from October 15, 1989 to June 30, 1990, and increasing the "not to exceed" compensation from $13,504.00 to $40,512.00 (includes increase in reimbursable expenses from $400.00 to $1,200.00). The hourly rate to remain at $21.84.
   Account Nos. 2490-0010 and 2490-0009.
2. Contract-Agreement No. P82-1047-X4A, with Jayne E. Brady - Public Information Coordinator - extending expiration date from October 15, 1989 to June 30, 1990 and increasing the "not to exceed" compensation from $13,329.00 to $39,985.00 (includes increase in reimbursable expenses from $667.00 to $2,000.00. The hourly rate to remain at $18.62.
   Account Nos. 2490-0010 and 2490-0009.

The Commission V O T E D: Approved as submitted by Mr. Jewett in his report of August 11, 1989.

5. Report of Messrs. Faucher and Chan, August 1, recommending the following on Contract No. P87-1481-C1A, with J. F. White Contracting Company, for Restoration of Franklin Park Zoo -
(a) That Alteration No. 1, in the amount of $2,735.00 credit to the Commission, for substitution of undersized fence, be approved.
(b) That work be accepted as completed as of January 1, 1989.

(c) That Estimate No. 7 (Final), in the amount of $12,464.93, be approved for payment.
(d) That reserve, in the amount of $11,645.33, be approved for payment.
(Basis of Award - $282,800.00)
(Total to Date - $232,906.48)
(Contract Administration Rating - 3.10)
(EEO Compliance - 4.20)
The Commission V O T E D: to approve Alteration No. 1, in the amount of $2,735.00 credit to the Commission, for substitution of undersized fence.
The Commission further V O T E D: that the work of J. F. White Contracting Company, Contractor under Contract No. P87-1481-C1A, for Restoration of Franklin Park Zoo, be and hereby is accepted as completed as of January 1, 1989.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $12,464.93, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $11,645.33, for payment.

1. Report of Messrs. Faucher and Chan, August 7, recommending the following on Contract No. P87-1482-C1A, with Sciaba Construction Company, for Restoration of Stone Zoo -
(a) That work be accepted as completed as of November 22, 1988.
(b) That Estimate No. 6 (Final), in the amount of $994.64, be approved for payment.
(c) That reserve, in the amount of $13,861.45, be approved for payment.
(Basis of Award - $322,200.00)
(Total to Date - $277,228.79)
(Contract Administration Rating - 3.71)
(EEO Compliance -)
The Commission V O T E D: that the work of Sciaba Construction Company, Contractor under Contract No. P87-1482-C1A, for Restoration of Stone Zoo, be and hereby is accepted as completed as of November 22, 1988.
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of $994.64, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $13,861.45, for payment.

2. Report of Messrs. Faucher and Lenhardt, August 13, recommending the following on Contract No. P83-1204-X1A, with Seelye, Stevenson, Value and Knecht, Inc., for Engineering Services for Legal Court Case, Bonacorso Construction Corp. vs. Commonwealth of Massachusetts.
(a) That Contract No. P83-1204-X1A be accepted as completed as of July 1, 1989.
(b) That retainage in the amount of $1,680.24 be approved for payment.
The Commission V O T E D: that the work of Seelye, Stevenson, Value and Knecht, Inc., Consultant under Contract No. P83-1204-X1A, for Engineering Services for Legal Court Case, Bonacorso Construction Corp. vs. Commonwealth of Massachusetts, be and hereby is accepted as completed as of July 1, 1989.
The Commission further V O T E D: to approve release of retainage in the amount of $1,680.24, for payment.

3. Report of Mr. Faucher and Ms. Peterson, August 14, recommending that the Commission ratify the actions taken by the Division and approve the award of an Emergency Contract to Goudreau Marine Contractors, in the amount of $344,050.00, for Emergency Repairs to Craigie Drawbridge, Charles River Dam Road over Charles River, Boston, Massachusetts. Account No. 2490-0009.
The Commission V O T E D: to ratify and approve the award of an Emergency Contract to Goudreau Marine Contractors, in the amount of $344,050.00.

4. Report of Messrs. Faucher and Machado, August 16, recommending the following on Contract No. P79-0596-D1A (CS79-7PE), with Vollmer Associates, Consultant for Engineering Services Rehabilitation of Veterans of Foreign Wars Parkway -

(a) That work be accepted as completed as of June 30, 1989.
(b) That retainage, in the amount of $27,228.35, be approved for payment.
(Basis of Award - $336,134.00)
(Total to Date - $554,069.03)
(Contract Administration Rating on a scale of 1.00 to 10.00 is 8.50)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Vollmer Associates, Consultant under Contract Number CS79-7PE, for Rehabilitation of Veterans of Foreign Wars Parkway, be and hereby is accepted as completed as of June 30, 1989.
The Commission further V O T E D: to approve release of reserve, in the amount of $27,228.35, for payment.

Action was taken upon the following matters relating to the Flood Control Management Division:

1. Report of Mr. Winter, July 24, recommending that the Commission ratify and approve the award of an Emergency Clean-Up Project to Jet Line Services, Inc., and authorize payment, in the amount of $19,673.49, for Emergency Oil Spill Cleanup, at the Amelia Earhart Dam. Account No. 2440-0010-12.
The Commission V O T E D: to ratify and approve the award of an Emergency Clean-Up Project to Jet Line Services, Inc., for Emergency Oil Spill Cleanup, at the Amelia Earhart Dam.
The Commission further V O T E D: to authorize payment, in the amount of $19,673.49, to Jet Line Services, Inc.

2. Report of Mr. Winter, July 24, recommending that the Commission ratify and approve the award of an Emergency Repairs Project to Kennet Corporation and authorize payment in the amount of $1,560.00, for emergency repair to the 2" Hydraulic Line at Amelia Earhart Dam. Account No. 2440-0010-00.
On questioning by Associate Commissioner Whelan, Mr. Baratta noted that Mr. McCann of the Park Engineering and Construction Division is investigating the cause of the oil spill. If he finds that J. F. White Contracting Company is responsible, they will be billed for the emergency cleanup and repair costs for the hydraulic line.
The Commission V O T E D: to ratify and approve the award of an Emergency Repairs Project to Kennet Corporation, for Emergency repair to the 2" Hydraulic Line at Amelia Earhart Dam.
The Commission further V O T E D: to authorize payment in the amount of $1,560.00, to Kennet Corporation.

Action was taken upon the following matters relating to the Watershed Managment Division:

3. Report of Mr. McGinn, August 11, recommending the following on Contract No. WM87-017-S1A, with Tighe and Bond, Inc., for Wachusett Reservoir Pollution Investigation -
(a) That work be accepted as completed as of December 30, 1988.
(b) That Invoice No. 5 (Final), in the amount of $3,586.94, be approved for payment.
(c) That Invoice No. 6 (Retainage), in the amount of $3,936.15, be approved for payment.
(Maximum Obligation - $39,362.85)
(Final Cost - $39,361.67)
(Contact Administration Rating - 7.00 on a scale of 1.00 to 10.00)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Tighe and Bond, Inc., Consultant under Contract No. WM87-017-S1A, for Wachusett Reservoir Pollution Investigation, be and hereby is accepted as completed as of December 30, 1988.
The Commission further V O T E D: to approve Invoice No. 5 (Final), in the amount of $3,985.48, for payment.
The Commission further V O T E D: to approve Invoice No. 6 (Retainage), in the amount of $3,936.15.

1. Report of Mr. McGinn regarding the recent wind storm damage at Wachusett Reservoir. Mr. McGinn recommends the Commission approve the initiation of emergency salvage contracts with six vendors for a total estimated value of $26,600.00. Pending approval, Mr. McGinn will report to the Commission in eight weeks and recommend further salvage contracts. Mr. McGinn further requests Commission approval to allocate approximately $135,000.00 of the anticipated $150,00.00 from salvage of this storm towards the lease to purchase of a self-loading whole tree chipper and a grapple skidder which are necessary in order to complete the clean-up.

Mr. O'Connor presented a video review of the destruction caused by the wind storm which occurred in the area of Wachusett Reservoir on July 10, 1989.

He then explained that the forest cover of 243 acres was badly damaged resulting in a threat to the water supply, the visiting public and the watershed forest. He noted that there is a possibility of a catastrophic forest fire occurring in the surrounding forest, should a delay occur in the storm clean-up. In addition, he stated, the possibility of an influx of nutrients from the decomposition of the debris is a potential threat to the Wachusett Reservoir.

Following a lengthy discussion concerning the need for immediate action the Commission V O T E D:

1. To declare an emergency in the area of Wachusett Reservoir which was badly damaged by a wind storm on July 10, 1989.

2. To ratify the action of the Division in initiating emergency salvage contracts with the following vendors:

Vendor	Weekly Output	$/Week	Output /8Wks	Total $
Bosse, Gardner, MA	25,000 bd ft	$ 500.00	200,000 bd ft	$ 4,000.00
Doyle Holden, MA	15,000 bd ft	$ 200.00	120,000 bd ft	$ 1,600.00
Robinson New Market, NH	125,000 bd ft	$1,875.00	1 million bd ft	$15,000.00
Conkey Belchertown, MA	15,000 bd ft	$ 250.00	120,000 bd ft	$ 2,000.00
Bigelow Boylston, MA	6,625 bd ft	$ 250.00	53,000 bd ft	$ 2,000.00
TOTAL	201,625 bd ft	$3,325.00	1,613,000 bd ft	$26,600.00

3. To authorize Mr. Jewett, Mr. McGinn, Mr. Wright and certain Commission members to review the proposal of the Division, with regards to further salvage operations, which will result in salvage sales of approximately an additional $150,000.00. Of this sum, $135,000.000 is requested by the Division for the lease to purchase a self-loading whole tree chipper and a grapple skidder which will be necessary in order to complete the clean-up operation.

4. If, Mr. Jewett, Mr. Wright, Mr. McGinn and certain members of the Commission determine, following a complete review, that the aforementioned procedure meets all legal and other requirements, the Division is authorized to proceed with the aforementioned request.

Action was taken upon the following matter relating to the Zoos:

2. Report of Dr. Goldstein, August 8, on bids for Pest Control Services for the Metro Parks Zoos. Account No. 03-J18.
(Dr. Goldstein recommends award of the Contract to the lowest bidder, Patriot Termite and Pest Control, with a bid of $10,400.00).

The Commission asked that the back-up information provided by Dr. Goldstein be reviewed and signed-off by Mr. Jewett.

The Commission V O T E D: Approved as recommended by Dr. Goldstein in his report of August 8, 1989.

Action was taken upon the following matters relating to the Right of Way Division:

1. The Commission V O T E D: to adopt the following Order of Taking:

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 17, 1989.

ORDERED: That the Metropolitan District Commission, by virtue of the authority conferred upon it by Chapter 556 of the Acts of 1952 and by Chapter 732 of the Acts of 1981 and every other power and authority hereto enabling, for the purpose of said Acts does hereby take in fee under the provisions of Chapter 79 of the General Laws, in the name and for the benefit of the Commonwealth of Massachusetts, the land situated in the City of Lynn in the County of Essex and Commonwealth of Massachusetts as shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Lynn (Essex County), Mass., Lynnway, Plan of Taking, Howard, Needles, Tammen & Bergendoff - Engineers - Architects - Planners, Boston, Mass.", signed by Francis D. Faucher, Director of Parks Engineering and Robert D. Ford, Registered Land Surveyor, dated June, 1988, being Plan Accession Number 52469X-V.T., a copy of which shall be recorded with a copy of this order in the Essex South District Registry of Deeds, and made part of this order, bounded and described as follows:

Parcel C-1

A parcel of land adjoining the westerly street line of Commercial Street and the northerly street line of the Lynnway (Route 1A) and bounded by said street lines and by a line described as follows:

Beginning at a point on said westerly street line, said point being the intersection of said street line and the dividing line between land of said Shell Oil Company and land now or formerly of General Electric Company, and bearing south 64° 18' 39" west and being 25.36 feet distant from Station 11+79.01 of the Commercial Street baseline, shown on the plan hereafter mentioned;

Thence, following said street line south 25° 14' 37" east 156.30 feet;

Thence, following the line defining the northwesterly intersection of said Commercial Street and said Lynnway, by a curve to the right of 20.00 feet radius, 31.84 feet to a point bearing north 24° 15' 45" west and being 48.00 feet distant from Station 50+24.88 of the Lynnway baseline;

Thence, following the aforesaid northerly street line of the Lynnway by a curve to the left of 2,200.50 feet radius 8.94 feet;

LOCATION OF PROPERTY: COMMERCIAL STREET AND LYNNWAY, LYNN, MASSACHUSETTS

Thence, leaving said northerly street line, easterly to northeasterly, by a curve to the left of 24.00 feet radius 38.30 feet;

Thence, north 25° 41' 21" west 2.55 feet;

Thence, north 64° 18' 39" east 1.00 feet;

Thence, north 25° 41' 21" west 150.31 feet, to a point again on the aforesaid dividing line;

Thence, easterly, following said dividing line, by a curve to the right, of 5,685.63 feet radius 5.23 feet to the point of beginning. Said parcel contains about 857 square feet.

Parcel C-2

A parcel of land adjoining the westerly street line of Commercial Street and bounded by said street line and by the line described as follows:

Beginning at a point on said westerly street line, said point bearing south 64° 18' 39" west and being 25.36 feet distant from Station 11+79.01 of the Commercial Street baseline shown on the plan hereinafter mentioned;

Thence, leaving said westerly street line, westerly, following the dividing line between land of said General Electric Company and land now or formerly of Shell Oil Company by a curve to the left of 5,685.63 feet radius, 5.23 feet;

Thence, leaving said dividing line north 25° 41' 21" west 71.20 feet, to a point on the dividing line between land of said General Electric Company and land now or formerly of Sagamore Fuel Co., Inc.;

Thence, following said dividing line, easterly, by a curve to the right of 5,755.63 feet radius, 5.28 feet to a point again on the aforesaid westerly street line of Commercial Street;

Thence, following said street line south 25° 38' 48" east 71.20 feet to the point of beginning.

Said parcel contains about 367 square feet.

Parcel C-3

A parcel of land adjoining the westerly street line of Commercial Street, and bounded by said street line and by a line described as follows:

Beginning at a point on said street line, said point bearing south 64° 18' 39" west and being 25.31 feet distant from Station 12+50.21 of the Commercial Street baseline shown on the plan hereinafter mentioned;

Thence, leaving said street line, westerly, following the dividing line between land of said Sagamore Fuel Co., Inc., and land now or formerly of General Electric Company, by a curve to the left of 5,755.63 feet radius 5.28 feet;

Thence, leaving said dividing line north 25° 41' 21" west 18.98 feet;

Thence, north 22° 03' 55" west 83.32 feet to a point again on said westerly street line;

Thence, south 25° 38' 48" east, following said street line, 103.10 feet to the point of beginning.

Said parcel contains about 318 square feet.

Parcel C-5

A parcel of land adjoining the easterly street line of Commercial Street, the northerly street line of the Lynnway and bounded by said street lines and by a line described as follows:

Beginning at a point on said easterly street line, said point being the intersection of said street line and the dividing line between land of said C & J Texaco, Inc. and land now or formerly of Absyl Trust, and bearing north 64° 18' 39" east and being 24.57 feet distant from Station 11+69.37 of the Commercial Street baseline, shown on the plan hereinafter mentioned;

Thence, leaving said street line and following said dividing line easterly by a curve to the right of 5,685.63 feet radius, 2.98 feet;

Thence, leaving said dividing line south 25° 41' 21" east 124.41 feet;

Thence, by a curve to the left of 45.00 feet radius, 14.61 feet;

Thence, north 45° 42' 16" east 1.00 foot;

Thence, southeasterly, by a curve to the left of 44.00 feet radius, 51.48 feet to a point on the aforesaid northerly street line of the Lynnway (Route 1A), said point bearing north 21° 19' 59" west and being 52.00 feet distant from Station 51+47.58 of the Lynnway baseline;

Thence, westerly, following said street line, by a curve to the left of 4,329.97 feet radius 25.76 feet;

Thence, by another curve to the left of 2,204.50 feet radius, 1.44 feet;

Thence, following the line defining the northeasterly intersection of said Lynnway and said Commercial Street, by a curve to the right of 20.00 feet radius, 30.18 feet;

Thence, following the aforesaid easterly street line of Commercial Street north 25° 14' 37" west 146.78 feet to the point of beginning.

Said parcel contains about 893 square feet.

Parcel C-6

A parcel of land adjoining the easterly street line of Commercial Street and the southerly street line of Alley Street, and bounded by said street lines and by a line described as follows:

Beginning at a point of said easterly street line, said point bearing north 64° 18' 39" east and being 24.57 feet distant from Station 11+69.37 of the Commercial Street baseline shown on the plan hereinafter mentioned;

Thence, following said easterly street line, north 25° 14' 37" west 7.87 feet;

Thence, north 25° 38' 48" west 95.87 feet;

Thence, leaving said easterly street line of Commercial Street and following the aforesaid southerly street line of Alley Street north 61° 12' 31" east 3.52 feet;

Thence, leaving said southerly street line, southerly, by a curve to the left of 5.00 feet radius 2.71 feet;

Thence, south 25° 41' 21" east 101.93 feet to a point on the dividing line between land of said Absyl Trust and land now or formerly of C & J Texaco, Inc.;

Thence, westerly, following said dividing line, by a curve to the left of 5,685.63 feet radius, 2.98 feet to the point of beginning, on said easterly street line.

Said parcel contains about 296 square feet.

An existing building overhang extends over this parcel and there is reserved to Abraham Kessel and Sylvia Collier, Trustees of Absyl Trust, their successors and assigns a right and easement to maintain the existing building overhang.

The aforesaid parcels of land are supposed to be owned by the following owners:

PARCEL NO.	OWNER	AREA IN SQUARE FEET IN WHICH FEE IS TAKEN
C-1	Shell Oil Company	857± square feet
C-2	General Electric Company	367± square feet
C-3	Sagamore Fuel Co., Inc.	318± square feet
C-5	C & J Texaco, Inc.	893± square feet
C-6	Abraham Kessel and Sylvia Collier, Trustees of Absyl Trust	296± square feet

Said Metropolitan District Commission does also hereby order the taking of and does hereby take in the name and behalf of the Commonwealth of Massachusetts for the purposes aforesaid the right and easement to occupy and use for the passage of men and vehicles, the transportation of machinery and materials and for depositing machinery, tools, dirt and other materials thereon, together with the right to remove said machinery, tools, dirt and other materials so deposited thereon, but in no event later than September 1, 1990, the following described parcels of land situated in said Lynn in the County of Essex and Commonwealth of Massachusetts shown on the aforesaid plan and comprising land of the following owners:

PARCEL NO.	OWNER	AREA IN SQUARE FEET IN WHICH TEMPORARY EASEMENT IS TAKEN
C-TE-1	Shell Oil Company	1,060± square feet
C-TE-2	General Electric Company	490± square feet
C-TE-3	Sagamore Fuel Co., Inc.	540± square feet
C-TE-4	Helen Goudreau, Trustee of the Goudreau Family Trust	110± square feet
C-TE-5	C & J Texaco, Inc.	950± square feet
C-TE-6	Abraham Kessel and Sylvia Collier, Trustees of Absyl Trust	520± square feet
C-TE-7	John J. O'Neill, Trustee of the O'Neill Family Trust	410± square feet

The rights and easements in the land in which rights and easements are herein taken are taken without interference with or prejudice to the rights of the respective owners thereof except so far as is reasonably necessary in the exercise of said rights and easements; and there are excepted and reserved to the respective owners of said land in which rights and easements are herein taken, and their heirs, successors and assigns, all their respective rights in and to the use of said lands for all lawful purposes not inconsistent with the uses herein set forth.

Trees on said lands and structures affixed thereto are included in this taking with the exception of wires, pipes, conduits, poles and their appurtenances for the conveyance of water, sewage, steam, gas and electricity and for telephone and telegraph communications now lawfully in or upon said lands.

There are also excepted from this taking all easements of record insofar as the same may be in force and applicable.

The Commission further V O T E D: to award damages for the following parcels either by "fee" or by temporary easements along Commercial Street and the Lynnway, as follows:

PARCEL NO.	OWNER	TYPE OF TAKING	AREA TAKEN IN SQ. FT.	AWARD OF DAMAGES
C-1	Shell Oil Company	Fee	857± sq.ft.	$11,784.00
C-TE-1	Shell Oil Company	Temporary Easement	1,060± sq.ft.	$ 2,120.00
C-2	General Elec. Co.	Fee	367± sq.ft.	$ 2,936.00
C-TE-2	General Elec. Co.	Temporary Easement	490± sq.ft.	$ 784.00
C-3	Sagamore Fuel Co., Inc.	Fee	318± sq.ft.	$ 2,544.00
C-TE-3	Sagamore Fuel Co., Inc.	Temporary Easement	540± sq.ft.	$ 864.00
C-TE-4	Helen Goudreau, Trustee of the Goudreau Family Trust	Temporary Easement	110± sq.ft.	$ 154.00
C-5	C & J Texaco, Inc.	Fee	893± sq.ft.	$10,716.00
C-TE-5	C & J Texaco, Inc.	Temporary Easement	950+ sq.ft.	$ 1,900.00
C-6	Abraham Kessel and Sylvia Collier, Trustees of Absyl Trust	Fee	296± sq.ft.	$ 3,552.00
C-TE-6	Abraham Kessel and Sylvia Collier, Trustees of Absyl Trust	Temporary Easement	520±sq.ft.	$ 1,248.00
C-TE-7	John J. O'Neill, Trustee of the O'Neill Family Trust	Temporary Easement	410±sq.ft.	$ 820.00
			Total Awards	$39,422.00

The temporary easements are for a one year period to September 1, 1990.
Associate Commissioner Jones abstained from voting on this item and noted that he will also abstain from voting on any future Orders of Taking until such time as each individual Order of Taking has been reviewed and approved by legal counsel.
Associate Commissioner Whelan also abstained from voting on this item due to the fact the Order of Taking was not reviewed by legal counsel.

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The Commission V O T E D: to readopt the following Order of Taking of a 3,254 square foot easement from North American Philips Lighting Corporation along the Lynnway in Lynn, with award of damages in the amount of $16,524.00.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 17, 1989.

ORDERED: That the Metropolitan District Commission, by virtue of the authority conferred upon it by Chapter 556 of the Acts of 1952 and by Chapter 732 of the Acts of 1981 and every other power and authority hereto enabling, for the purpose of said Acts does hereby take under the provisions of Chapter 79 of the General Laws, the perpetual right and easement to construct, repair, maintain and use for highway purposes including the right to install drainage structures and other appurtenances related thereto, in, through and under a parcel of land situated in the City of Lynn in the County of Essex and Commonwealth of Massachusetts located adjacent to the Lynnway, as shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Lynn (Essex County), Mass., Lynnway, Plan of Taking, Howard, Needles, Tammen & Bergendoff - Engineers - Architects - Planners, Boston, Mass.", signed by Francis D. Faucher, Director of Parks Engineering and Robert D. Ford, Registered Land Surveyor, dated Jan. 13, 1988, Rev. dated March 21, 1988, being Plan Accession Number 51678X-V.T., a copy of which shall be recorded herewith in the Essex South District Registry of Deeds, being the registry of deeds for the county in which the property lies, bounded and described as follows:

A parcel of land adjoining the easterly Metropolitan District Commission location line of the Lynnway and bounded by said location line and by a line described as follows:

Beginning at a point on said location line, said point bearing south 47° 20' 28" east and being 55.43 feet distant from Station 76+84.35 of the Lynnway baseline;

Thence, leaving said location line, south 23° 40' 15" east 54.33 feet to a point in the former Kingman Street;

Thence, south 44° 19' 45" west 47.18 feet to a point on the southerly street line of former Kingman Street;

Thence, north 45° 40' 15" west 15.09 feet, following said former street line;

Thence, leaving said street line, north 77° 34' 42" west 41.66 feet to a point, again on said easterly Metropolitan District Commission location line of the Lynnway, said point bearing south 45° 01' 57" east and being 54.55 feet distant from Station 75+97.01 of said Lynnway baseline;

Thence, following said location line, northeasterly, by a curve to the left, having a radius of 2,305.90 feet and a length of 89.56 feet to the point of beginning.

Said parcel contains about 3,254 square feet, more or less, as shown on said plan.

The rights and easements in the land in which rights and easements are herein taken are taken without interference with or prejudice to the rights of the respective owner thereof except so far as is reasonably necessary in the exercise of said rights and easements; and there are excepted and reserved to the respective owner of said land in which rights and easements are herein taken, and its heirs, successors and assigns, all its respective rights in and to the use of said land for all lawful purposes not inconsistent with the uses herein set forth.

Trees on said land and structures affixed thereto are included in this taking with the exception of wires, pipes, conduits, poles and their appurtenances for the conveyance of water, sewage, steam, gas and electricity and for telephone and telegraph communications now lawfully in or upon said land.

OWNER	AREA IN SQUARE FEET IN WHICH PERPETUAL EASEMENT IS TAKEN
North American Philips Corporation	3,254

For Deed References - See Book 6046, Page 120 and Book 6397, Page 263.

Associate Commissioner Jones abstained from voting on this item and noted that he will also abstain from voting on any future Orders of Taking until such time as each individual Order of Taking has been reviewed and approved by legal counsel. Associate Commissioner Whelan also abstained from voting on this item due to the fact the Order of Taking was not reviewed by legal counsel.

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The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from July 31, 1989 to August 7, 1989.

Expenditures	$9,285,932.55
Summer Youth	$ 18,212.38

Adjourned at 12:45 p.m. to meet on Thursday, September 7, 1989 at 10:00 a.m.

William F. Cruskie
Secretary

Record of the Three Thousand Four Hundred and Ninety Sixth (3496th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 7, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on August 10, 1989 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated September 7, 1989, with Systems Exterminating Contractors, for Pest Extermination Services at Various MDC Locations for Fiscal Year 1990.

2. Agreement, dated September 7, 1989, between the Metropolitan District Commission and the City of Boston, acting by and through the Parks and Recreation Department, relative to payment to the City of Boston for maintenance and operation of the James Michael Curley Recreational Facility, also known as the "L" Street Bathhouse, which is located on William J. Day Boulevard, South Boston, in compliance with Chapter 164 of the Acts of 1988.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

3. Contract No. P82-1051-C2A, dated September 7, 1989, with Goudreau Marine Contractors, for Emergency Repairs to Craigie Drawbridge, Boston, Massachusetts.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

4. Report of Messrs. Faucher and Kerwin, August 29, submitting Work Schedule, Project Summary and Project Justification Forms for Project No. P90-1569-M1A, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts, during the period November 89 - October 91, estimated cost $520,000.00.
Account No. 2444-9001-12.
(Messrs. Faucher and Kerwin recommend approval of this project and request permission to advertise.)
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Arinella, August 21, recommending approval of an extension of time from September 30, 1989 to October 31, 1989, on Contract No. P86-1422-M1A, with Kenett Corporation, for Servicing Hydraulic Systems at the Charles River Dam, Charlestown, in order to continue to service, repair and maintain the hydraulic systems until a new two year contract can be advertised.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time from September 30, 1989 to October 31, 1989, as recommended by Messrs. Faucher and Arinella in their report of August 21, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

6. Report of Messrs. Faucher and Arinella, August 21, recommending approval of an extension of time from September 30, 1989 to October 31, 1989, on Contract No. P83-1347-M1A, with Underwater Construction Corp., for Maintenance, Service and Repair to Locks, Draws and Other Underwater Structures, in order to continue the services of experienced construction divers until a new two year contract can be advertised.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time from September 30, 1989 to October 31, 1989, as recommended by Messrs. Faucher and Arinella in their report of August 21, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Higgott, August 25, recommending approval of Extra Work Order No. 51, in the amount of $93,499.50, to install 60" culvert valves - Large Lock - Summer/Fall 1989. This Extra Work Order is to install the Culvert Valves purchased under Extra Work Order No. 32, on Contract No. P78-0667-C1A, with J. F. White Contracting Company, for Rehabilitation of the Amelia Earhart Dam, Navigational Locks, and Flood Control Pumping Station in the Cities of Somerville and Everett, Massachusetts. Account No. 2440-8886.
On questioning by Associate Commissioner Whelan, Mr. Higgott stated that it has not been determined if J. F. White Contracting Company was responsible for the cost of emergency repairs to the hydraulic line and cleanup of the oil spill at the Amelia Earhart Dam (see Commission vote of August 17, 1989).
If Mr. Baratta finds that J. F. White Contracting Company is responsible, the firm will be billed for the repairs to the hydraulic line and the oil spill cleanup, it was noted.
The Commission V O T E D: to approve Extra Work Order No. 51, in the amount of $93,499.50.

2. Report of Messrs. Faucher and Young, August 23, recommending an extension of time from August 31, 1989 to December 31, 1989, on Contract No. P77-0404-C2A, with Vigil Electric Co., for Street Lighting Modernization, Memorial Drive, from Wadsworth Street to 300 feet West of Fowler Street, including 900 ft. Frontage on John F. Kennedy Park, due to problems encountered in the manufacture of the Cast Iron Pedestals for the Lighting Standards which resulted in a revised shipment schedule by the supplier. (At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from August 31, 1989 to December 31, 1989, as recommended by Messrs. Faucher and Young in their report of August 23, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Carrigan, August 28, recommending approval of the request of Reynolds Brothers, Inc., Contractor on Project P89-1552-C1A, for Construction of Parking Lot, Franklin Park Zoo, to engage the services of Greater Boston Landscaping, Inc., as sub-contractor for Tree Planting, 059-010 thru 059-220 and Lawn Seeding 060-010 at a total cost of $97,371.00.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Chan, August 30, recommending the following on Contract No. P82-1171-C1A, with Allied Weatherproofing Co., Inc., for Replacement of Filtration System, McCrehan Swimming Pool, Cambridge, Massachusetts -
(a) That work be accepted as completed as of June 30, 1989.
(b) That Estimate No. 1 (Final), in the amount of $70,354.15, be approved for payment.
(c) That retainage, in the amount of $3,702.85, be approved for payment.
(Basis of Award - $79,760.00)
(Total to Date - $74,057.00)
(Contract Administration Rating - 2.71)
(EEO Compliance - 2.20)
The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., Contractor under Contract No. P82-1171-C1A, for Replacement of Filtration System, McCrehan Swimming Pool, Cambridge, Massachusetts, be and hereby is accepted as completed as of June 30, 1989.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $70,354.15, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,702.85, for payment.

5. Report of Messrs. Faucher and Abounaja, August 22, recommending the following on Contract No. P88-1511-C1A, with DEC-TAM Corporation, for Asbestos Abatement at Various MDC Facilities -
(a) That work be accepted as completed as of August 4, 1989.
(b) That Estimate No. 1 (Final), in the amount of $114,155.20, be approved for payment.

(c) That reserve, in the amount of $6,008.17, be approved for payment.
(Basis of Award - $ 85,000.00)
(Total to Date - $120,163.37)
(Contract Administration Rating - 4.00)
(EEO Compliance - 4.40)

The Commission V O T E D: that the work of DEC-TAM Corporation, Contractor under Contract No. P88-1511-C1A, for Asbestos Abatement at Various MDC Facilities, be and hereby is accepted as completed as of August 4, 1989.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $114,155.20, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $6,008.17, for payment.

1. Report of Messrs. Faucher and Lespasio, August 29, recommending approval of the following Revisions in Quantities and Extra Work Order No. 1, at a total cost of $360,342.50, on Contract No. P82-1047-C2A, with John Mahoney Construction Company, for Rehabilitation of the Lynnway/Carroll Parkway -
Revisions in Quantities -

Item No. 9	- Excavation	- $ 8,000.00
Item No. 13	- Gravel Borrow	- $ 5,280.00
Item No. 16	- MH Frame and Gate	- $ 7,000.00
Item No. 29	- 12" R.C. Pipe	- $ 77,000.00
Item No. 32	- San Sewer MH	- $ 25,300.00
Extra Work Order No. 1	- Construction of a Sanitary Sewer Under the Lynnway	- $237.762.50

(No additional funding required as cost for the sewer work was provided by the Legislature under terms of Chapter 573 of the Acts of 1985, Section L).
The Commission V O T E D: to approve the revisions in quantities as recommended by Messrs. Faucher and Lespasio in their report of August 29, 1989.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $237,762.50.

2. Report of Messrs. Faucher and Machado, August 29, recommending approval of the following Revisions in Quantities and Extra Work Order No. 3, at a total cost of $25,582.50, on Contract No. P79-0596-C1A, with John McCourt Company, for Rehabilitation of the Veterans of Foreign Wars Parkway -
Revisions in Quantities -

Item No. 15	- Gate, Electrical and Service Boxes Adjusted to Grade	- $ 2,310.00
Item No. 94	- One and One Half Inch Galvanized Steel Conduit	- $13,545.00
Item No. 98	- Lighting Cable #8	- $ 808.00
Item No. 101	- Electrical Handholes Rebuilt	- $ 1,500.00
Item No. 103	- Furnishing and Delivering Electrical Handhole Frames and Covers	- $ 2,500.00
Item No. 116	- Electrical Handhole 18" x 18"	- $ 4,250.00
Extra Work Order No. 3	- Traffic Signal Adjustments	- $ 669.50

(No additional funding required as cost will be offset by unused quantities in Item No. 26 - New Manhole Type D).
The Commission V O T E D: to approve the revisions in quantities as recommended by Messrs. Faucher and Machado in their report of August 29, 1989.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $669.50.

3. Report of Messrs. Faucher and DiPietro, August 29, recommending approval of an extension of time from September 30, 1989 to June 30, 1994, on Contract No. P82-1185-D1A, with Stone and Webster Engineering Corporation, for Engineering Services for Fish Passage Facilities at Circular, Silk Mill, Cochrane and South Natick Dams on the Charles River, due to a delay in funding the construction contract.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and DiPietro in their report of August 29, 1989.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

1. Report of Mr. VanWart, August 31, submitting for approval and signature revised Agreement, with the Massachusetts Audubon Society for operation of the Trailside Museum and Chickatawbut Hill Environmental Center in the Blue Hills for the period from July 1, 1989 through June 30, 1992, and shall be automatically renewed every three years thereafter unless terminated as provided in Article 8 of the Agreement.
Following a lengthy discussion, the Commission voted to Hold Over this item until the September 21, 1989 meeting, and at that time a new revised Agreement be presented to the Commission.
The Commission directed that the following matters be addressed prior to the meeting of September 21, 1989:
   1. Review of the revised Agreement by Mr. Jewett and incorporation of his comments into the new document. Mr. Jewett to meet with Massachusetts Audubon Society and Mr. VanWart with regards to his concerns.
   2. Review and sign-off of the Agreement by Mr. Wright with regards to proper form and content.
   3. Review by the Friends of the Blue Hills and incorporation into the Agreement of any appropriate suggestions which may be made.
   4. Mr. VanWart to move towards the establishment of a Citizens Advisory Committee whose purpose will be to make suggestions for the use of the Chickatawbut Environmental Center if it becomes necessary for the Massachusetts Audubon Society to drop its environmental programs at the Center.

2. At this point, Associate Commissioner Jones spoke of a memo he received recently from Ms. Ralston, Special Assistant to the Commissioner, dated September 5, 1989, concerning a proposed program for employee passes for free admission to various MDC recreational facilities.
Following a lengthy discussion concerning the proposed program, and on the suggestion of Associate Commissioner O'Malley, the Commission directed the Secretary to have this item placed on the agenda of the next MDC Policy Committee Meeting for its review of the proposal and recommendation to the Commission regarding the proposal.

Action was taken upon the following matter relating to the Police Division:

3. Report of Deputy Superintendent O'Toole, August 25, recommending that the present posted speed limit of 45 Miles Per Hour on the Revere Beach Parkway in Chelsea, west bound from the Route 1 overpass to the Garfield Street intersection, be reduced to 30 Miles Per Hour.
Associate Commissioner Jones requested that the Public Information Office notify appropriate news media regarding the new speed limit on this section of Revere Beach Parkway.
In addition, he asked that a copy of the request and the Commission vote be forwarded to the Legal Counsel for his review.
The Commission V O T E D: Approved.

The following matter was placed on the agenda for the information of the Commission:

4. The following schedules were approved for payment by the Commissioner during the period from August 7, 1989 to August 21, 1989.

Expenditures	$476,907.48
Summer Youth	$ 35,041.14

Adjourned at 12:20 p.m. to meet on Thursday, September 14, 1989 at 10:00 a.m.

William F. Cushnie
Secretary

Record of the Three Thousand Four Hundred and Ninety Seventh (3497th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 14, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on August 17, 1989 were read and approved.

1. At this point, Associate Commissioner Jones questioned the status of Commission action of August 17, 1989 (see 3495th Meeting, Volume 51, page 52), in which the Commission voted "to authorize Messrs. Jewett, McGinn, Wright and certain Commission members to review the proposal of the Division with regards to further salvage operations at Wachusett Reservoir, which will result in salvage sales of approximately an additional $150,000.00." "Of this sum, $135,000.00 is requested by the Division for the lease to purchase a self-loading whole tree chipper and a grapple skidder which will be necessary in order to complete the clean up operation."
Secretary Chisholm explained that he had conferred with Messrs. Jewett, McGinn and Wright and all concur that under terms and conditions of Chapter 737 of the Acts of 1972, Section 8, revenues derived from salvage operations at Wachusett Reservoir or watershed area may not be used to purchase equipment for Wachusett Reservoir or the watershed.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

2. Contract-Agreement, dated September 14, 1989, with Attorney Brian F. Gilligan, to represent the Police Division and the Commission in various labor and civil matters.

3. Contract-Agreement, dated September 14, 1989, with the Office of Lawrence J. Ball, to represent the Police Division and the Commission in personnel matters involving the Civil Service Commission and applicable labor organizations.

Action was taken upon the following matters relating to the Parks Engineering and Construction Division:

4. Report of Messrs. Faucher and O'Connor, August 28, recommending approval of the following Extra Work Orders, Extra Work Claims, and Revision in Quantity, at a total cost of $20,320.18, on Contract No. P82-1047-C1A, with J. F. White Contracting Company, for Rehabilitation of General Edwards Bridge Revere/Lynn, Massachusetts.

Revision in Quantity -

Item No. 50 - Scupper Grating		- $7,000.00

Extra Work Orders -

Extra Work Order No. 10	- Additional Barrier Gate Equipment	- $3,866.04
Extra Work Order No. 11	- New Barrier Gate Housing Support Shaft	- $ 824.00
Extra Work Order No. 12	- Additional Work on Tower Doors	- $6,087.30

Extra Work Claims -

Extra Work Claim No. 7	- Removal of Chain Link Fence and Support Beams	- $2,115.04
Extra Work Claim No. 8	- Ultrasonic Testing of Drive Shafts	- $ 427.80

(No additional funding required as sizable underruns expected in other items).
The Commission V O T E D: to approve the Revision in Quantity on Item No. 50, in the amount of $7,000.00
The Commission further V O T E D: to approve Extra Work Order No. 10, in the amount of $3,866.04; Extra Work Order No 11, in the amount of $824.00 and Extra Work Order No. 12, in the amount of $6,087.30.
The Commission further V O T E D: to waive the provisions of

Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 7, in the amount of $2,115.04 and Extra Work Claim No. 8, in the amount of $427.80.

1. Report of Messrs. Faucher and Mayhew, August 24, recommending the following on Contract No. P87-1486-C1A, with Caesars Roofing, Inc., for Replacement of Four Roofs at Stone Zoo, Stoneham, Massachusetts -
(a) That work be accepted as completed as of April 21, 1989.
(b) That Estimate No. 3 (Final), in the amount of $20,703.82, be approved for payment.
(c) That reserve, in the amount of $7,190.81, be approved for payment.
(Basis of Award - $159,750.00)
(Total to Date - $143,816.00)
(Contract Administration Rating - 3.00)
(EEO Compliance - 4.00)
The Commission V O T E D: that the work of Caesars Roofing, Inc., Contractor under Contract No. P87-1486-C1A, for Replacement of Four Roofs at Stone Zoo, Stoneham, Massachusetts, be and hereby is accepted as completed as of April 21, 1989.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $20,703.82, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $7,190.81, for payment.

2. Report of Messrs. Faucher and Carrigan, August 6, recommending approval of the following Revisions in Quantities, at a total cost of $74,950.00, on Contract No. P89-1552-C1A, with Reynolds Brothers, Inc., for Construction of Parking Lot, Franklin Park Zoo, Boston, Massachusetts -

Item No. 001-050	Removal and Spreading of Embankment Fill on Site to Attain Grading Requirement	- $30,400.00
Item No. 003-010	Removal of Trees	- $12,000.00
Item No. 008-030	Gravel Borrow	- $22,000.00
Item No. 043-010	Electric Handhole	- $ 1,500.00
Item No. 055-010	4" PVC Service Entrance Conduit Encased in Concrete and 4" GRSC	- $ 8,000.00
Item No. 056-010	2" PVC Signal Conduit	- $ 1,050.00

(No additional funding required as cost will be offset by unused quantities in other items).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Carrigan in their report of August 6, 1989.

3. At this point, Associate Commissioner Jones stated that those individuals who initiated the concept of an African Tropical Forest Pavilion at the Franklin Park Zoo should be recognized by the Commission for their vision which resulted in the construction of a top-flight attraction for the area. Commissioner Bhatti noted that he had spoken with a representative of Weidlinger Associates, the Zoo Architects, and he also suggested that some type of acknowledgment be made commending those individuals. Mr. Lespasio was asked by Commissioner Bhatti to research the matter and provide the Commission with the names. Associate Commissioner Jones then expressed his concern with regards to the admission fee structure for the facility. He noted that a walk-in admission to the African Tropical Forest Pavilion carries the same fee as an admission with parking and bus transportation from the new MDC parking lot. He then pointed out that the admission fees to most other similar attractions in the area, do not include free parking. Commissioner Bhatti agreed and stated that the fee structure should be reviewed. Associate Commissioner Jones suggested that the Commission undertake an aggressive marketing program to attract visitors to the zoo from throughout the Commonwealth and other regions of the east coast, to further enhance visitations and revenues. He stated that particular attention should be paid to scheduling school groups, senior citizens organizations etc., thereby levelizing attendance at the facility. By so doing, he noted, personnel assignments at the facility will be balanced.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. McGinn, September 1, recommending approval of payment of $1,983.24 for additional services on Contract No. WM87-019-S1A, with Haley and Aldrich, Inc., for Annual Inspection of Water Supply Dams.
The Commission V O T E D: Approved as recommended by Mr. McGinn in his report of September 1, 1989.

Action was taken upon the following matter relating to the Right of Way Division:

2. Report of Mrs. Anderson, September 6, recommending approval of a Proposal submitted by Charles Bartoloni of the firm of Relocation Consultants for relocation assistance, in the amount of $40,000.00, to Island Auto, Inc., due to reconstruction of the Lynnway, Lynn. Mrs. Anderson further recommends that the claim be paid and that the Commissioner be authorized to sign the payment form on behalf of the Commission.
On questioning by Associate Commissioner Scandrett, Mrs. Anderson stated that Island Auto Inc. has agreed to the negotiated self move settlement of $40,000.00 and has signed the Claim for Actual Reasonable Moving and Related Expense Form, so indicating.
She then explained that the Executive Office of Community Development had reviewed the claim and approved its conformance with Federal and State Laws.
On further questioning by Associate Commissioner Scandrett, Mrs. Anderson stated that this relocation claim has no direct relationship with the current law suit concerning the MDC's Eminent Domain Taking of the former Island Auto Inc. parcel of land at 418 Broadway Street and the Lynnway, Lynn, Massachusetts.
The Commission V O T E D: to approve the Proposal submitted by Charles Bartoloni of the firm of Relocation Consultants for relocation assistance, in the amount of $40,000.00, to Island Auto, Inc.
The Commission further V O T E D: to authorize Commissioner Bhatti to sign the payment form on behalf of the Commission.
Associate Commissioners Jones and Whelan abstained from voting on this item due to the fact that the relocation claim was not reviewed by legal counsel.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

3. Report of Mr. VanWart, August 31, submitting for approval and signature revised Agreement, with the Massachusetts Audubon Society for operation of the Trailside Museum and Chickatawbut Hill Environmental Center in the Blue Hills for the period from July 1, 1989 through June 30, 1992, and shall be automatically renewed every three years thereafter unless terminated as provided in Article 8 of the Agreement.
Secretary Chisholm stated that he had received a request from the Reservations and Historic Sites Division that the Commission hold this item over until the Meeting of September 28, so that a few outstanding matters concerning the Agreement can be clarified.
The Commission expressed its concern in the delay, by the Division, in presenting an acceptable Agreement for review, approval and signature.
The Commission then voted to Hold Over the item and directed the following:
(1) If it becomes apparent that problems exist which will further delay the submittal of the Agreement to the Commission for review, approval and signature, at the Meeting of September 28, the Division must notify the Commissioner immediately.
(2) The Division should insure that the Director of the Friends of the Blue Hills receives a final copy of the Agreement, as presented to the Commission, no later than Tuesday, September 26, 1989, for his review.
(3) The Division should present the final Agreement to Messrs. Wright and Jewett for their review prior to submittal to the Commission.

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The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from August 21, 1989 to September 5, 1989.

Expenditures	$3,372,966.01
Summer Youth	$ 22,149.16

Adjourned at 12:25 p.m. to meet on Thursday, September 21, 1989 at 10:00 a.m.

William F. Cushing
Secretary

Record of the Three Thousand Four Hundred and Ninety Eighth (3498th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 21, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on September 7, 1989 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

RESOLUTION

1. Resolved: That the Metropolitan District Commission, assembled in its Meeting held on September 21, 1989, does hereby express its deep and sincere appreciation to Phillip J. Correa for his 25 years of faithful and productive service in the Parks Engineering and Construction Division, and for the example he has set as a conscientious and dedicated public servant; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many, and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Correa.

RESOLUTION

2. Resolved: That the Metropolitan District Commission, assembled in its Meeting held on September 21, 1989, does hereby express its deep and sincere appreciation to Patrick J. Keogh for his twenty years of faithful and productive service in the Parks Engineering and Construction Division, and for the example he has set as a conscientious and dedicated public servant; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many, and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Keogh.

Action was taken upon the following matters relating to the Park Engineering and Construction Division:

3. Report of Messrs. Faucher and Anders on petition of Massachusetts Electric Company for Grant of Location for approximately 4,260 feet of conduit and cable and related facilities to be used for the distribution of electricity on Middlesex Fells Parkway, Revere Beach Parkway and Middlesex Avenue in the City of Medford, Massachusetts, at a one-time fee $6,390.00.
ORDERED that, on petition of Massachusetts Electric Company, dated September 5, 1989, for location, shown on Massachusetts Electric Company Plan Nos. H-44347, H-44348 and H-44349, dated May 9, 1989, entitled "Proposed Location of Massachusetts Electric Company's (10) Manholes and Conduits Along and Across the Metropolitan District Commission in Middlesex Fells Parkway, Revere Beach Parkway and Middlesex Avenue, Medford, Massachusetts" to place in the City of Medford namely Middlesex Fells Parkway, Revere Beach Parkway and Middlesex Avenue, Medford, Massachusetts, as follows: place approximately 4260' of conduit and cable and related facilities, to be used for the purpose of providing electrical service to the new Mystic Office Park, located off Middlesex Fells Parkway, Medford, said location having been found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, September 21, 1989 at 10:00 A.M., in the Marilyn Morrison Commission Meeting Room of the Commission in Boston, of

which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require, said Massachusetts Electric Company is hereby granted a location for said conduit and cable measuring approximately 4,260 feet and related facilities, in Middlesex Fells Parkway, Revere Beach Parkway and Middlesex Avenue, in the City of Medford, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-

1. Massachusetts Electric Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. Massachusetts Electric Company shall do the work of installing said conduit and cable measuring approximately 4,260 feet and related facilities therein, the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.
3. Massachusetts Electric Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.
4. Massachusetts Electric Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.
5. Massachusetts Electric Company shall take all possible measures during construction to reduce the impact on the area.
6. Massachusetts Electric Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said conduit and cable measuring approximately 4,260 feet and related facilities therein, may hereafter become necessary.
7. Massachusetts Electric Company to pay a one-time fee of $6,390.00 for the installation of said conduit and cable measuring approximately 4,260 feet and related facilities, to be used for the purpose of providing electrical service to the new Mystic Office Park, located off Middlesex Fells Parkway, Medford and to be owned by the petitioner, in Middlesex Fells Parkway, Revere Beach Parkway and Middlesex Avenue, in the City of Medford, Massachusetts.
8. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits, and subject to conditions imposed by him.

1. Report of Messrs. Faucher and Chan, September 7, recommending approval of Alteration No. 3, (Modification of the New Guardrail Installation), on Contract No. P78-0668-C1A with R. J. Delmonico, Inc., for Reconstruction of Connell Field.
(No additional funding required as cost will be offset by unused quantities in another item).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Chan in their report of September 7, 1989.

2. Report of Messrs. Faucher and Arinella, September 7, submitting for approval Quarterly Project Status Report, Project Summary Form and Project Justification and requesting permission to advertise Project No. P89-1567-M1A - Service, Maintenance, Repair or Replacement of Underwater Structures Within the Metropolitan

District Commission. Estimated Cost - $100,000.00, over two fiscal years.
FY-90 - $50,000.00 - Account No. 2440-0010-12.
FY-91 - $50,000.00 - Account No. 2440-0010-12.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Arinella, September 7, submitting for approval Quarterly Project Status Report, Project Summary Form and Project Justification and requesting permission to advertise Project No. P89-1568-M1A - Service, Maintain, Repair or Replacement of Hydraulic Systems Within Flood Control Management Division Facilities of the Metropolitan District Commission.
Estimated Cost - $120,000.00, over two fiscal years.
FY-90 - $60,000.00 - Account No. 2440-0010-12.
FY-91 - $60,000.00 - Account No. 2440-0010-12.
The Commission V O T E D: Approved.

2. Report of Messrs. Baratta, Faucher and McCann recommending that the Commission acknowledge and congratulate MDC employees who were responsible for opening and maintaining the Commission's wading pools for the 1989 season.
Mr. McCann explained that at the beginning of the 1989 summer season, the Children's wading pools were ordered to remain closed due to the lack of sterilization and filtering systems.
As a result, MDC employees with little time to accomplish an enormous task teamed up, shared resources and acquired and installed all of the equipment and systems required to open and maintain the wading pools for the entire season, he stated.
He then noted that through this combined effort, MDC employees saved the Commission more then $200,000.00 in design costs, bid contracts and water conservation.
The Commission V O T E D: to direct the Secretary to include the names of each employee in the minutes of this Meeting thereby acknowledging each person for an outstanding job performance.
The Commission further V O T E D: to direct the Secretary to prepare a Certificate of Appreciation for each employee thereby recognizing their outstanding work in insuring that the pools would be in operation for the 1989 Summer season.
Those commended include the following:

Kevin Biagiotti	Keith Kirby
Philip Brooks	Frank Kushmerek
Carmel Calnan	Carmen Leone
David Chan	Keith Mahan
Mark Crosbie	Joseph Malone
John Crowley	Leon McCalla
Carmen DeFilippo	Jim McCann
James Delmonte	Anthony Natola
John DeLuca	John O'Connor
Robert DeSantis	Bernadette O'Malley
Joseph Falzone	Louis Racamato
Fran Faucher	Richard Sylvester
George Francis	Steven Tilas
Steven Freeedman	Francisco Venuto
James Ippolito	John Walsh

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

3. Report of Mr. VanWart, August 31, submitting for approval and signature revised Agreement, with the Massachusetts Audubon Society for operation of the Trailside Museum and Chickatawbut Hill Environmental Center in the Blue Hills for the period from July 1, 1989 through June 30, 1992, and shall be automatically renewed every three years thereafter unless terminated as provided in Article 8 of the Agreement.
The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to the Planning Division:

4. Report of Mr. Krajovic, September 15, recommending approval of the continuation of the Lechmere Canal and Park Project, with the City of Cambridge, which was previously approved and signed by

the Commission in 1981. Also submitting for signature, the contractual Agreement which will allow the City of Cambridge to start construction immediately.

At this point, Associate Commissioner Jones asked if the MDC has any plans for upgrading its facility at the corner of Msgr. O'Brien Highway and Commercial Street, which is currently an eye-sore.

Mr. Krajovic stated that the structure is architecturally significant and is indeed in need of rehabilitation. However, he stated due to personnel and monetary constraints, it does not appear that any upgrading of the facility will take place in the immediate future.

Associate Commissioner Scandrett and O'Malley asked that the Commissioner investigate the possible use of inmates from correctional institutions to upgrade the facility.

The Commission V O T E D: Approved-with the stipulation that in-house efforts be made to formulate a plan for improvements to the Commission owned facility at the corner of Msgr. McGrath Highway and Commercial Street, Cambridge.

The Secretary then submitted for signature Contractual Agreement, dated September 21, 1989, with the City of Cambridge, which was signed by the Commissioner and four Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from September 5, 1989 to September 11, 1989.

Expenditures	$3,313,486.89
Summer Youth	$ 3,101.50

Adjourned at 12:45 p.m. to meet on Thursday, September 28, 1989 at 10:00 a.m.

William F. Cushel
Secretary

Record of the Three Thousand Four Hundred and Ninety Ninth (3499th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 28, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on September 14, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P89-1562-C1A, dated September 28, 1989, with Underwater Construction Corporation, for Emergency Replacement of the High and Low Sluice Gates and Hydraulic Cylinders, Charles River Dam.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. VanWart, August 31, submitting for approval and signature revised Agreement, with the Massachusetts Audubon Society for operation of the Trailside Museum and Chickatawbut Hill Environmental Center in the Blue Hills for the period from July 1, 1989 through June 30, 1992, and shall be automatically renewed every three years thereafter unless terminated as provided in Article 8 of the Agreement.
Mr. VanWart noted that the Agreement, as presented to the Commission for approval and signature, has been reviewed by Mr. Wright as to proper form and Mr. Jewett for proper content. In addition, the Agreement has been approved and executed by the Massachusetts Audubon Society.
He then explained that the finalized copy was presented to the Friends of the Blue Hills for comment and approval.
At this point, Mr. David Hodgdon of the Friends of the Blue Hills presented the Board with a Petition requesting that all steps be taken by the Commission to insure that the Chickatawbut Hill Environmental Center remains open.
On a motion by Associate Commissioner Jones, the Commission V O T E D: to accept the Petition.
Mr. Ralph Lutts, Director of Trailside Museum, stated that the Massachusetts Audubon Society has a commitment for sponsoring environmental programs at the Chickatawbut Hill Environmental Center and, if funds can be raised, the Center will remain in operation.
On a further motion by Associate Commissioner Jones, the Commission V O T E D: to direct the Reservations and Historic Sites Division to investigate various uses for the Chickatawbut Hill Environmental Center and have a plan for its operation prepared in the event that the Massachusetts Audubon Society has to drop its involvement at the Center.
The Commission then V O T E D: to approve the revised Agreement.
The Secretary then submitted for signature Agreement, dated September 28, 1989, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Park Engineering and Construction Division:

3. Report of Messrs. Faucher and Higgott, September 19, recommending approval of an extension of time from September 30, 1989 to December 31, 1989, on Contract No. P78-0667-C1A, with J.F. White Contacting Company, for Rehabilitation of the Amelia Earhart Dam, Navigational Locks, and Flood Control Pumping Station in the Cities of Somerville and Everett, Mass. due to the need for reworking and installing 60" Pratt Culvert Valves and Operators. (At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from September 30, 1989 to December 31, 1989, as recommended by Messrs. Faucher and Higgott in their report of September 19, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Chan, September 21, recommending approval of Alteration No. 4, in the amount of a credit of approximately $32,053.00 ($3.50 per cubic yard) to the Commission, for the substitution of coarse loam borrow, on Contract No. P78-0668-C1A, with R. J. Delmonico Inc., for Reconstruction of Connell Field.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Chan in their report of September 21, 1989.

Action was taken upon the following matter relating to the Right of Way Division:

2. Report of Mrs. Anderson, September 25, requesting that the Commission declare that land referenced in Chapter 210 of the Acts of 1989 (14 Foster Street, West Boylston), surplus to this Agency's needs. This action is in compliance with the provisions of Chapter 579 of the Acts of 1980.
Mrs. Anderson further requests that the Commission approve the following conditions set forth in the Land Board recommendations -
1. This property should be restricted from any expansion by means of a conservation restriction and the height of the buildings should be restricted to 18 foot high single story dwellings as presently designed by New England Design Architects, Inc., 39 Salisbury Street, Worcester, Massachusetts.
2. Since the property is to be conveyed for no consideration, should the proposed use cease or be expanded, the property would automatically revert to the Commonwealth of Massachusetts for open space and Watershed protection purposes.

Representative William Constantino appeared before the Commission and expressed his support in declaring that MDC land, located at 14 Foster Street, West Boylston, surplus so that it may be used by the West Boylston Housing Authority as a site for construction of a Chapter 689 Special Needs Group Home.
William O'Brien, representing Senator Thomas White, stated that the Senator was unable to attend the Commission meeting, but asked that he be placed on record as supporting the transfer of the property to the West Boylston Housing Authority.
Carl E. Bruhn of the West Boylston Housing Authority gave a brief history of the Authority's efforts to locate the Group Home in the Community. He stated that many locations were studied and this was the only site found that met the Authority's criteria.
Ellen Manahan, a resident of Foster Street, expressed her opposition to the transfer. She cited the lack of public transportation in the area; the lack of stores in the area-with the nearest two miles from the site and a lack of community contact for the residents of the Home. Mrs. Manahan then stated that the surplusing of this property is contradictory to the M.D.C. Watershed land acquisition program.
Commissioner Bhatti stated that an inspection of the property by DEQE indicated that the property is a feasible site for the home provided that certain conditions, as outlined in Drinking Water Regulations 310 CMR 22:00, are met.
At this point, Associate Commissioner Jones requested that Mrs. Anderson provide the Commission with a copy of the Land Board vote on this matter.
On questioning by Associate Commissioner Whelan, Mr. McGinn stated that the proposed development will not be detrimental to the Watershed Area. He explained that it will actually be a substantial improvement because an updated septic disposal system will replace a cess pool.
On motion by Associate Commissioner Jones, the Commission V O T E D: That Mr. McGinn, in consultation with Secretary Chisholm, prepare a condition to be incorporated into the vote which will specify a minimum septic system pumping frequency to ensure the optimal reliability of the septic system to provide long-term protection of the water supply.
The Commission further V O T E D: to declare that property, as referenced in Chapter 210 of the Acts of 1989 (14 Foster Street, West Boylston), surplus to the MDC's needs, in compliance with the provisions of Chapter 579 of the Acts of 1980.
Associate Commissioner Jones voted to approve the surplusing of the property with the stipulation that the Commission action and the back-up information as provided by Mrs. Anderson is reviewed and approved by Mr. Wright.

The Commission further V O T E D: to approve the following conditions as set forth in the Land Board recommendations -

1. This property should be restricted from any expansion by means of a conservation restriction and the height of the buildings should be restricted to 18 foot high single story dwellings as presently designed by New England Design Architects, Inc., 39 Salisbury Street, Worcester, Massachusetts.
2. Since the property is to be conveyed for no consideration, should the proposed use cease or be expanded, the property would automatically revert to the Commonwealth of Massachusetts for open space and Watershed protection purposes.

The Commission further V O T E D: to incorporate the following condition as set forth by Mr. McGinn into its vote -

1. As a condition to the surplusing of the property located at 14 Foster Street to the West Boylston Housing Authority for the purpose of constructing and operating a group home on that site, the West Boylston Housing Authority agrees to maintain the septic system(s) associated with said group home in an environmentally sound manner with due regard for protection of water supply resources in the immediate vicinity of the site and to cause the septic tank(s) to be pumped out by a licensed septage hauler at the minimum frequency of once every five years. The West Boylston Housing Authority shall provide written notice to the Metropolitan District Commission of the date(s) and volumes of septage pumping.

Action was taken upon the following matter relating to the Police Division:

1. Report of Deputy Superintendent White, September 22, recommending termination of a Towing Contract with Penta Auto Body, due to unsatisfactory performance.
Deputy Superintendent White further recommends that the Commission authorize Stanley's Tow Inc., to perform the services.
The Commission V O T E D: Approval to terminate the Towing Contract with Penta Auto Body, due to unsatisfactory performance.
The Commission further V O T E D: Approval to authorize Stanley's Tow Inc., to perform the services.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from September 11, 1989 to September 18, 1989.

Expenditures	$338,740.77
Summer Youth	$ 505.05

Adjourned at 12:40 p.m. to meet on Thursday, October 5, 1989 at 10:00 a.m.

William F. Cuscolem
Secretary

Record of the Three Thousand Five Hundredth (3500th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 5, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on September 21, 1989 were read and approved.

1. The Commission once again discussed the use of inmates from correctional institutions to assist the operating Divisions in maintaining Commission property during this period of fiscal constraints.
The Commission then asked that Messrs. Lydon, VanWart, Rodrigues, Andrews, McGinn, and a representative of the Police Division, appear at next weeks Commission Meeting prepared to discuss the matter in detail.
Mr. Vieira, with the assistance of Aimee Charlton, was asked to coordinate the project. In addition, Mr. Vieira was asked to confer with a representative of the Department of Correction concerning the feasibility of the program.

Action was taken upon the following matters relating to the Park Engineering and Construction Division:

2. Report of Messrs. Faucher and Young, September 22, submitting Work Schedule Form and Project Summary Form for Project No. P90-1570-M1A, for Preventative Maintenance Work and Emergency Repairs to Luminaires, Luminaire Standards, Street Light Wiring Systems and Ancillary Equipment on MDC Parkways, Roadways and Properties - for a 24 month period - estimated cost $800,000.00.
Account Number 2444-9001-12 FY-90.
Account Number 2444-9001-12 FY-91.
Account Number 2444-9001-12 FY-92.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Lespasio, September 22, recommending approval of an extension of time from September 30, 1989 to November 30, 1989, on Contract No. P87-1425-C2A, with W. P. Capone Corporation, for Repairing/Replacing Bituminous/ Cement Concrete Sidewalks, due to the need to defer project because of budgetary constraints.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from September 30, 1989 to November 30, 1989, as recommended by Messrs. Faucher and Lespasio in their report of September 22, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Kirwin, September 19, recommending approval to revise the estimated quantities on the following -

Item No. 003-010	- Flashing Traffic Control Device Knock-down Repair	-	$ 750.00 -
Item No. 004-020	- Labor Rate for Licensed Electrician-Serviceman	-	$10,710.00 -
Item No. 016-010	- General Purpose Wire (X.H.H.W. #14)	-	$ 750.00
Item No. 018-010	- Traffic Signal Loop-Detector	-	$10,710.00

on Contract No. P89-1550-M1A, with New England Traffic Signals, Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.
(No additional funds will be needed due to identified underruns on Item Nos. 003-010 and 004-020 which will offset the dollar amount of increases needed on Item Nos. 016-010 and 018-010).
The Commission V O T E D: Approved as recommended by Messrs. Faucher Kirwin in their report of September 19, 1989.

5. Report of Messrs. Faucher and Kirwin, September 20, recommending approval to revise the estimated quantities on the following -

Item No. 003-010 - Flashing Traffic Control Device Knock-down Repair - $ 7,425.00 -
Item No. 003-020 - Traffic Signal Knock-down Repair - $11,050.00 -
Item No. 007-010 - Pedestrian Signal Head-Type A - $ 150.00 -
Item No. 013-010 - Storage Room and Engineer's Office - $16,800.00 -
Item No. 016-010 - General Purpose Wire (X.H.H.W. #14) - $ 7,425.00
Item No. 018-010 - Traffic Signal Loop-Detector - $28,000.00
on Contract No. P89-1550-M2A, with Tri State Signal, Inc., for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts.
(No additional funds will be needed due to identified underruns on Item Nos. 003-010, 003-020, 007-010 and 013-010 which will offset the dollar amount of increases needed on Item Nos. 016-010 and 018-010).
The Commission V O T E D: Approved as recommended by Messrs. Faucher Kirwin in their report of September 20, 1989.

1. Report of Mr. Faucher and Ms. Graves, September 22, recommending approval to revise the estimated quantities on Item No. 010-010 Traffic Control Services - $10,000.00, on Contract No. P88-1540-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings, Various Districts.
(No additional funds will be needed as there are sufficient unused quantities in Item No. 010-001, "Four Inch Reflectorized Lines (Painted)", which will offset the required increase).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Graves in their report of September 22, 1989.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Rodrigues, September 29, recommending that the Head of the Charles Regatta Committee be authorized to utilize corporate hospitality tents, to off-set expenses, at the Head of the Charles Regatta on October 22, 1989.
Mr. Angelo Tilas, who will be M.D.C. Coordinator for Regatta activities, made a brief presentation and explained that the event will not receive State funds for this year, due to financial constraints. Therefore, he explained, the corporate hospitality tents will offer a way for the Committee to off-set a portion of their expenses.
Edward Smith, representing the Head of the Charles Regatta Committee, spoke of other steps the Committee has taken to meet expenses for this years Regatta including an increase in program advertising. He then noted steps that have been taken to insure that sales of T-Shirts and posters increase.
Mr. Smith then spoke of the proposed use of four corporate hospitality tents at the rear of the Ward Five World War Veterans Memorial Pool, at Magazine Beach. These tents, he explained, could generate up to $10,000.00 and the proceeds could be used for meeting M.D.C. expenses.
Mr. Smith then noted that Cape Cod Potato Chips, Saratoga Sparkling Water and Soho Natural Soda will offer samples of their products to competitors and spectators at Magazine Beach, Cambridge Boat Club, Herter Park and upstream of the Weld Boat House. He stated that the three companies will accept donations which will be given to the Head of the Charles Regatta Committee to further off-set expenses.
Commissioner Bhatti asked that Mr. Tilas develop a flexible plan for the use of Commission employees in the event of inclement weather.
Associate Commissioner Jones asked that Mr. Tilas be authorized to make final determination on the number of employees to be utilized and also their hours of work.
The Commission then directed Mr. Tilas to have the Permit reviewed by Mr. Jewett, for compliance with all aspects of M.D.C. Policy, prior to its issuance to the Head of the Charles Regatta Committee.

Associate Commissioner Whelan requested that a written agreement be prepared by Mr. Tilas which states that the Commonwealth of Massachusetts, the Metropolitan District Commission, its agents and servants shall be held harmless and indemnified against all claims and demands for damages to persons or property arising out of the exercise of this permit.
The Commission V O T E D: to authorize the Head of the Charles Regatta Committee to utilize four corporate hospitality tents at the Head of the Charles Regatta on October 22, 1989.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from September 18, 1989 to September 25, 1989.

Expenditures	$1,274,201.24
Summer Youth	$ 667.91

Adjourned at 12:30 p.m. to meet on Thursday, October 12, 1989 at 10:00 a.m.

William F. Cushing
Secretary

Record of the Three Thousand Five Hundred and First (3501st) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 12, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on September 28, 1989 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. First Amendment, dated October 12, 1989, to Contract-Agreement with Stone and Webster Engineering Corporation, for Engineering Services for Fish Passage Facilities at Circular, Silk Mill, Cochrane and South Natick Dams on the Charles River.

2. First Amendment, dated October 12, 1989, to Contract-Agreement with Mary F. Clutchey, for services as Project Planner.

Action was taken upon the following matter relating to the Park Engineering and Construction Division:

3. Report of Messrs. Faucher and Okeke, October 6, recommending approval of an extension of time from October 8, 1989 to December 7, 1990, on Contract No. P89-1554-C1A, with Balfour Engineering Co., Inc., for Charles River Basin Destratification Facilities and Maintenance of a Compact Air Compressor System at the Fens Gate House, Boston, due to the need to provide a specified maintenance service program for the compressor.
The Commission V O T E D: to approve an extension of time from October 8, 1989 to December 7, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Mr. Jewett, October 12, submitting for approval Amendment to Contract-Agreement, (as approved on August 17, 1989), with Jayne E. Brady, as follows: Contract-Agreement No. P82-1047-X4A, with Jayne E. Brady - Public Information Coordinator - revising expiration date from June 30, 1990 to April 15, 1990 and reducing the "not to exceed" compensation from $39,985.00 to $33,321.07 which includes $1,666.67 in reimbursable expenses. The hourly rate remains $18.62.
(Account Nos. 2490-0010 and 2490-0009).
The Commission V O T E D: Approved as submitted by Mr. Jewett in his report of October 12, 1989.
The Secretary then submitted for signature Contract-Agreement, dated October 12, 2989, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Watershed Management Division:

5. Report of Mr. McGinn, October 3, on proposals for the purchase of forest products located on Quabbin Reservoir Watershed and Ware River Watershed.
The Commission V O T E D: to accept the only qualified bid, that of Conkey Logging & Lumber, of $511.00; to purchase approximately 73 cords of firewood on Timber Sale No. 575 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Tommila Bros., Inc., of $2,105.00; to purchase approximately 42,195 board feet of sawlogs and 128 cords of firewood on Timber Sale No. 174 - Ware River Watershed; Tommila Bros., Inc., will also perform $2,500.00 of additional work that is considered partial payment for the sawlogs and cordwood.

1. At this point, Mr. Vieira briefed the Commission on his findings concerning the use of inmates from various correctional institutions to assist in upkeep of Commission property.
He stated that he conferred with officials of the Department of Correction and personnel from various State agencies concerning their experience with similar programs.
Mr. Vieira then explained that due to time constraints, he did not have the opportunity to pursue the program in greater detail. However, he pointed out, if the program is found to be feasible, the Commission will be responsible for the following:

- Payment of the salaries of correction officers - one officer for each five to eight inmates.
- Transportation of prisoners to and from work site.
- Meals while working for the Commission.
- On site sanitary facilities.

He then noted that the inmates would be on site no more than four hours during the work day, due to travel and other time consuming requirements.
Associate Commissioner Whelan pointed out that the purpose of the program is to provide additional help for the understaffed Divisions and not the elimination of any MDC jobs.
Associate Commissioner O'Malley suggested that other sources of free help also be pursued. She then requested that Aimee Charlton contact Tom Hubbard of the Governor's Office concerning establishment of a Beautification sub-committee within the Beautification Working Group to investigate possible outside resources.
Associate Commissioner Jones asked that the Public Affairs Office assign a staff member, who will undertake the project with zeal, to assist Mr. Vieira in identifying not only sources of assistance from the Department of Correction, but also various groups such as fraternities, sororities, youth groups, etc.
Associate Commissioner Jones then asked that Mr. Vieira's recommendations be processed through Mr. Wright and the Police Division for review.
The Commission then directed that Mr. Vieira submit a report, in a reasonable period of time, outlining his findings and recommendations concerning the program.
Commissioner Bhatti asked that Mr. Vieira, Ms. Charlton and Division Directors, meet with him next week concerning the inmate program.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from September 25, 1989 to October 2, 1989.

Expenditures	$794,157.19
Summer Youth	$ 503.52

Adjourned at 11:45 a.m. to meet on Thursday, October 19, 1989 at 10:00 a.m.

William F. Cunkle
Secretary

Record of the Three Thousand Five Hundred and Second (3502nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 19, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on October 5, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated October 19, 1989, with Patriot Termite and Pest Control, for Pest Control Services - Metro Parks Zoos.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. McGinn, October 11, on bids for Laboratory Services, Contract No. WM90-001-X1A. Account No. 2420-1400. (Mr. McGinn recommends acceptance of the lowest bid, that of Lycott Environmental Research, Inc., with a maximum obligation of $25,000.00 and a Time for Performance of approximately six months with an end date of June 30, 1990).
The Commission noting that back-up information, as provided by the Division, did not include bid proposals of the eight unsuccessful bidders, requested that the Division submit this information to the Secretary for Commission review.
The Commission V O T E D: to accept the lowest bid, that of Lycott Environmental Research, Inc., with a maximum obligation of $25,000.00 and a Time for Performance of approximately six months with an end date of June 30, 1990.
This item was approved with the stipulation that the Division submit to the Secretary bid proposal information on the eight-unsuccessful bidders for Commission review.

Action was taken upon the following matter relating to the Police Division:

3. Request of Michael Penta, President of Penta Auto Body, Inc., for a hearing before the Commission regarding termination of his Towing Contract, due to unsatisfactory performance.
Secretary Chisholm explained that Deputy Superintendent White, who was to represent the Police Division at the Hearing was unable to be present. Therefore, he requested that this matter be held over until next week.
Secretary Chisholm then stated that Mr. Penta was informed of the postponement.
The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

4. Report of Mr. Rodrigues, October 16, requesting Commission approval to waive the admission fee for the Emmons-Horrigan-O'Neil Ice Skating Rink in Charlestown on December 10, 1989 from 2:30 P.M. to 5:30 P.M. in conjunction with the Charlestown Christmas Walk.
Associate Commissioner Whelan noted that the walk is a well organized Community endeavor with over 3,000 participants. He stated that the event offers the Commission an opportunity to open, for public viewing, an outstanding ice skating facility.
The Commission V O T E D: to approve the request and waive admission fees for the Emmons-Horrigan-O'Neil Ice Skating Rink in Charlestown on Sunday December 10, 1989 from 2:30 P.M. to 5:30 P.M.

Action was taken upon the following Various Matters:

5. Report of Mrs. Colclough, October 12, submitting the Policy Committee's recommendation concerning a proposed employee admissions policy to various Commission facilities.

Mrs. O'Brien reported that the Policy Committee had reviewed the proposal of Mrs. Ralston concerning employee admission Policy to MDC facilities, as requested by the Commission at its meeting of September 7, 1989. She then outlined the proposed program as recommended by the Policy Committee.
Following a lengthy discussion regarding the merits of the proposed policy, the Commission V O T E D as follows:
That M.D.C. employees be granted free admission to Commission operated facilities upon presentation of their official photo identification card. This policy of free admission is restricted to employees and does not include families and guests.
That the new policy does not include free admission to facilities run on a concession basis or facilities operated on Commission property by others - such as, but not limited to, Trailside Museum Blue Hills Ski Area and Museum of Science.
That the Policy Committee present the Commission with a finalized formal employee admission policy as soon as possible for review and approval.
The Commission then commended the members of the Policy Committee for their efforts in preparing the employee admission policy.

1. Report of the Policy Committee, October 17, recommending approval of a Memorialization Policy for the Metropolitan District Commission.
The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to the Planning Division:

2. Report of Mrs. O'Brien, October 18, recommending that the Commission approve the request of Bradford I. Towle, Interim Director of the Museum of Science, to name the Pavilion at the rear of the Museum in honor of Bradford Washburn, former Director of the Museum of Science.
Mrs. O'Brien gave a brief history of the Pavilion and noted that it is currently used as a picnic area by students visiting the Museum of Science.
The Commission then made note of the contributions made by Bradford Washburn to the quality of life in the Boston area and agreed that naming the Pavilion, which overlooks the Charles River, in his honor would be a fitting tribute to such an outstanding individual.
The Commission then addressed the possibility of the Museum of Science financing a walkway behind the facility linking the new Lechmere Park area with the Boston side of the Charles River.
Associate Commissioner Jones offered a motion, which was approved by the Commission, that the Commission permit the Museum of Science to announce that the pavilion will be named in honor of Bradford Washburn.
He then requested that the details and conditions of the permission be subject to review and final approval by the Planning Office; that the Planning Office initiate discussion with the Museum of Science concerning the financing by the Museum of a new pedestrian walkway, at the rear of the Museum, linking the new Lechmere Park area with the Boston side of the Charles River and that the Museum concur with a site improvement and on-going maintenance plan developed by MDC staff.
The Commission V O T E D: approved subject to the following stipulations -
That the details and conditions of the permission be subject to review and final approval by the Planning Office.
That the Planning Office initiate discussion with the Museum of Science concerning the financing by the Museum of a new pedestrian walkway, at the rear of the Museum, linking the new Lechmere Park area with the Boston side of the Charles River.
That the Museum of Science concur with a site improvement and on-going maintenance plan developed by MDC staff.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from October 2, 1989 to October 9, 1989.

Expenditures	$124,349.26
Summer Youth	$ 379.80

Adjourned at 11:45 a.m. to meet on Thursday, October 26, 1989 at 10:00 a.m.

William F. Gentile
Secretary

Record of the Three Thousand Five Hundred and Third (3503rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 26, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on October 12, 1989 were read and approved.

The Secretary submitted for signature the following paper:

1. Agreement with Spaulding Rehabilitation Hospital Corporation, regarding piers and walkways behind Spaulding Hospital.
The Commission V O T E D: Delete from Agenda and refer to Mr. Wright for further review.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Lespasio, October 16, recommending approval of an amendment extending the Time for Performance from October 31, 1989 to October 31, 1992, on Contract P82-1128-D1B, with Vollmer Associates, for Rehabilitation of Mystic Valley Parkway, Stoneham.
Mr. Lespasio pointed out that the salaries of the employees of the Design Engineer could increase over the next three years, because of cost of living adjustments resulting in an additional cost to the Commission.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of October 16, 1989.

3. Report of Messrs. Faucher and Chan, October 2, submitting for approval and signature a Cooperative Agreement, between the MDC and MWRA, calling for the expenditure of $20,771.48 by the Commission for the installation of a new water service meter on the water line, located at Nut Island, which continues to Peddocks Island. Account No. 2440-0010-12.
The Commission V O T E D: Held Over for further review by Legal Counsel.

4. Report of Messrs. Faucher and Arinella, October 19, on bids for Service, Repair and Maintenance to Locks, Dams and Other Underwater Structures within the MDC, Contract No. P89-1567-M1A. Account No. 2440-0010-12
(Messrs. Faucher and Arinella recommend acceptance of the lowest bid, that of Marine and Industrial Diving, Inc., in the amount of $97,125.00).
The Commission V O T E D: to accept the lowest bid, that of Marine and Industrial Diving, Inc., of $97,125.00.

5. Report of Messrs. Faucher and O'Connor, October 19, recommending approval of an amendment to extend the Time for Performance from October 31, 1989 to October 19, 1992, on Contract P85-1341-D1A, with Schoenfeld Associates, for Reconstruction of Lynn Shore Drive and Nahant Beach Reservation - Including Roadway, Lynn, Massachusetts.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and O'Connor in their report of October 19, 1989.
Associate Commissioner Jones did not participate in discussion nor vote on this item.

6. Report of Messrs. Faucher and Lespasio, October 18, recommending approval to revise the quantity on Item No. 10 - Granite Edgestone Removed and Reset, at a cost of $6,400.00, on Contact No. P87-1425-C2A, with William P. Capone Corporation, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks, due to the need for additional work.
(At no additional obligation as there are unused quantities in another Item which well offset the requested increase).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of October 18, 1989.

1. Report of Messrs. Faucher and Okeke, October 23, submitting Work Schedule Forms and Project Justification for approval and requesting authority to advertise Project No. P90-1571-M1A, Repair to Goder Incinerator Franklin Park Zoo; estimated cost $30,000.00. Account No. 2443-0001.
Commissioner Bhatti requested that the Construction Engineering and Metro Parks Zoos Divisions confer with State and Federal Environmental and Health Agencies to insure that all applicable Rules and Regulations for this type of incinerator are complied with.
Associate Commissioner Jones then requested that Dr. Goldstein become personally involved in the review of all aspects of the operation of the incinerator.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Rodrigues, October 18, submitting 1989-1990 Ice Skating Rink Schedule, Fees, Rental Charges and Regulations.
The Commission discussed at length increases in various fees, as set by Administration and Finance, and in particular the increase from $1.00 to $3.00 for general skating for those 18 years of age and over and the increase from $65.00 to $90.00 for 50 minutes of rink rental. It was noted that the increase in fees will result in financial hardship for many individuals who utilize the rinks on a frequent basis. It was further noted that the increase in admission fees could result in a loss of revenue for the Commonwealth, due to a reduction in the number of admissions.
The Commission directed Mr. Rodrigues to investigate the possibility of establishing a program for the issuance of paid season passes for general skating.
At this point, Associate Commissioner Whelan read the following memo which was forwarded to Administration and Finance when he discovered that the increase in fees was being proposed:

"Administration and Finance proposes changing rates at MDC skating rinks as follows:

(a) Public Skating Sessions
1. over 18 years from $1.00 to $3.00 *
2. under 18 years from $0.50 to $0.75
3. senior citizens from $0.50 to $0.50

(b) In Season Rink Rental from $65.00 to $90.00 per 50 minutes.**

I do not feel that some of these changes are reasonable and I suggest the following revisions:
1. * over 18 years increase from $1.00 to $2.00
2. ** in season rink rental from $65.00 to $75.00 in 1989-1990 season and to $85.00 from 1990-1991 season.

Tripling the charge from $1.00 to $3.00 for public skating for those over 18 years is unreasonable.

Increasing the 50 minute ice rental from $65.00 to $90.00 (a 38% increase) in one year is not fair to organizations (mostly youth) that contribute approximately $1,250,000.00 to the Commonwealth for ice rentals.

Hockey Youth Groups all over Greater Boston make a substantial contribution in cities and towns of the Commonwealth by providing excellent recreation and athletic programs at no cost to the Communities. This is all done by local non-profit organizations who use volunteers to raise the funds and instruct the young people. Many families involved in hockey groups have 2, 3, or 4 children taking part in the program. Increased prices will be a hardship for them.

Substantial amounts of hockey equipment, skates, gloves, helmets, etc., are all purchased by the parents and young people on which a 5% Massachusetts sales tax is charged.

Figure skating organizations also conduct similar types of programs utilizing MDC rinks.

Many high schools, public and private, make use of MDC rinks and their athletic budgets of course will be increased by the proposed fee changes. At the same time school budgets are being cut by cities and towns.

If it is necessary that MDC fees be increased at skating rinks I suggest it be done over a two year period.

It is also most important that we be aware that the groups

and individuals using MDC rinks are making a substantial payment of over $1,250,000.00 towards operating the rinks. They are not receiving a free pass but are carrying their fair share of these MDC facilities.

I am attaching a work sheet I have prepared indicating costs and potential revenues based on my suggestions.

MDC Skating Rinks
(22 rinks and 18 week season)

Payroll	
(staff of 12 persons per rink for 18 weeks)	$1,534,104.00
Utilities	
(electricity and water for 5 months)	$ 925,980.00
Total Cost for 22 rinks for 18 weeks	$2,460,084.00
Receipts 1988-1989 season 22 rinks	$1,269,717.00
Net Cost	$1,190,367.00

Receipts for 1988-1989 - $1,269,717.00 = 52% of Cost

Potential Receipts 1990 - $1,522,875.00 = 62% of Cost
($75.00 2.00 and .75)

Potential Receipts 1991 - $1,822,575.00 = 74% of Cost
(A & F fees $90.00 3.00 and .75)."

On a motion by Associate Commissioner Jones, the Commission V O T E D: to endorse the aforementioned proposal of Associate Commissioner Whelan and asked that the Secretary of the Commission incorporate it into the Commission vote. The Commission then directed the Secretary to forward a copy of the vote to the Office of Administration and Finance for their further review and response.

The Commission further V O T E D: to adopt the following 1989-1990 Ice Skating Rink Schedule, Fees, Rental Charges and Regulations (as set by Administration and Finance) conditionally subject to review and response by Administration and Finance to the recommendations of the Commission, as outlined in Associate Commissioner Whelan's proposal.

1. **OPENING AND CLOSING DATES**
   All Rinks:
   Sunday, November 12, 1989 through the close of the business day on Saturday, March 10, 1990.
   (Opened for a total of 17 weeks).
2. **ADMISSION AND RENTAL FEES**
   A. Public Session:
      $ .75 - Under 18 years of age at all sessions.
      $ .50 - Senior citizens (65 years of age or older) at all sessions.
      $3.00 - 18 years of age and over at all sessions.
   B. Ice Rental:
      $90.00 per fifty (50) minutes ($1.80 per minute).
3. **SPECIAL PRIVILEGES**
   A. Public, private and parochial schools in the Metropolitan Parks District shall be permitted to use the rinks free of charge from 9:00 a.m. to 12 noon on school days for recreational skating.
   B. Adults accompanying children under ten (10) years of age are to be permitted to use the rinks free of charge on weekday morning and afternoon sessions.
4. **HOLIDAY SCHEDULE**
   A. Rinks will be closed on the following holidays:
      Thanksgiving.....All Day
      Christmas Eve.....12 Noon
      Christmas Day.....All Day
      New Year's Eve.....12 Noon
      New Year's Day.....All Day
   B. Schedules at all rinks will not be changed during holiday vacation times. Public skating during open hours.
5. **ICE RENTAL CANCELLATION NOTICE**
   The renter shall be charged for all ice time contracted

or scheduled. No cancellations will be accepted. In the event that the same time period is not utilized two consecutive times, that time period may be rented to another group. However, the rental fee will not be charged if the time period is cancelled due to the fault of the MDC or if weather conditions are such that both the Rink Manager and Team agree that hazardous conditions exist.

6. **PAYMENTS**
All rental charges for ice time must be paid for a week in advance at the District Office. The only exception will be municipally funded organizations. Payment must be made by money order or certified check only.

7. **ICE RENTAL PRIORITIES**
   A. City and Town Recreation Departments who are members of the Metropolitan Parks District and are conducting and paying for programs for children 15 years of age and under.
   B. Youth Hockey Programs.
   C. High School Teams after December 1, 1989.
   D. Individual Teams, Industrial Leagues, etc.

Action was taken upon the following matter relating to the Police Division:

1. Request of Michael Penta, President of Penta Auto Body, Inc., for a hearing before the Commission regarding termination of his Towing Contract, due to unsatisfactory performance.
The Commission received and reviewed all documentation submitted and heard testimony given by Attorney Salvatore J. Ciccarelli, representing Penta Auto Body, Inc., D/B/A Perfection Towing. Testimony was also given by Michael Penta, President of Penta Auto Body, Inc., Ernest Rossi, General Manager of Penta Auto Body, Inc., and Deputy Superintendent Thomas White of the Metropolitan District Commission Police.
Following a lengthy discussion, the Commission V O T E D: to take the matter under advisement.

Action was taken upon the following Various Matters:

2. Report of the Policy Committee, October 17, recommending approval of a Memorialization Policy for the Metropolitan District Commission.
The Commission V O T E D: Held Over.

3. Report of Mr.Wright, October 24, submitting for approval and signature renewal of Contract-Agreement with Jeanne B. Glynn, MDC Project Manager, Signage and Graphics; Total Contract Cost not to exceed $39,500.00; Time for Performance November 1, 1989 through October 31, 1990. Account No. 2490-0010.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement with Jeanne B. Glynn, dated October 26, 1989, which was signed by the Commissioner and four Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from October 9, 1989 to October 16, 1989.

Expenditures	$416,380.88
Summer Youth	$ 781.75

Adjourned at 1:25 p.m. to meet on Thursday, November 2, 1989 at 10:00 a.m.

William F. Cowles
Secretary

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1989 Record of the Three Thousand Five Hundred and Fourth (3504th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 2, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on October 19, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Agreement with Spaulding Rehabilitation Hospital Corporation, dated November 2, 1989, regarding piers and walkways behind Spaulding Hospital.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Anders, October 23, on petition of Boston Edison Company for Grant of Location to install approximately 397 feet of 2-4 inch conduit with necessary wires, cables and related apparatus therein to be used for the transmission of electricity to the Northeastern University Boathouse, Soldiers Field Road, in the Brighton District of the City of Boston, at a one time fee of $625.00.
ORDERED that, on petition of Boston Edison Company, dated October 6, 1989, for location, shown on Plan of Boston Edison Company dated June 21, 1989, entitled "Plan of Soldiers Field Road - Brighton (WD-22) Showing Proposed Conduit, Manhole and Pad Mount Location" to place in the Brighton District of the City of Boston namely Soldiers Field Road, as follows: approximately 400 feet of 2 inch - 4 inch conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity to the Northeastern University Boathouse, said location having been found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, November 2, 1989 at 10:00 A.M., in the Marilyn Morrison Commission Meeting Room of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require, said Boston Edison Company is hereby granted a location for approximately 400 feet of 2 inch - 4 inch conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity to the Northeastern University Boathouse in Soldiers Field Road in the Brighton District of the City of Boston, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-

1. Boston Edison Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. Boston Edison Company shall do the work of installing said conduit with necessary wires, cables and related apparatus therein, the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.
3. Boston Edison Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.

4. Boston Edison Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.
5. Boston Edison Company shall take all possible measures during construction to reduce the impact on the area.
6. Boston Edison Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said conduit with necessary wires, cables and related apparatus therein, may hereafter become necessary.
7. Boston Edison Company to pay a one-time fee of $625.00 for approximately 400 feet of 2 inch - 4 inch conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity to the Northeastern University Boathouse and to be owned by the petitioner, in Soldiers Field Road in the Brighton District of the City of Boston, Massachusetts.
8. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits, and subject to conditions imposed by him.

1. Report of Messrs. Faucher and Anders, October 23, on petition of Boston Edison Company for Grant of Location to install approximately 103 feet of conduit with necessary wires, cables and related apparatus therein to be used for the transmission of electricity on Gallivan Boulevard, in the Dorchester District of the City of Boston, at a one time fee of $154.50.
ORDERED that, on petition of Boston Edison Company, dated October 5, 1989, for location, shown on Plan of Boston Edison Company dated January 31, 1989, entitled "Plan of Dorchester Avenue-Dorchester (WD-16) Showing Proposed Conduit Location" to place in the City of Boston namely Gallivan Boulevard, as follows: a distance of approximately 103 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity, said location having been found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, November 2, 1989 at 10:00 A.M., in the Marilyn Morrison Commission Meeting Room of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require, said Boston Edison Company is hereby granted a location for approximately 103 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity, in Gallivan Boulevard in the City of Boston, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-
1. Boston Edison Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. Boston Edison Company shall do the work of installing said conduit with necessary wires, cables and related apparatus therein, the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.
3. Boston Edison Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or

any of its employees in connection with the work done hereunder.

4. Boston Edison Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.
5. Boston Edison Company shall take all possible measures during construction to reduce the impact on the area.
6. Boston Edison Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said conduit with necessary wires, cables and related apparatus therein, may hereafter become necessary.
7. Boston Edison Company to pay a one-time fee of $154.50 for approximately 103 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity and to be owned by the petitioner, in Gallivan Boulevard in the City of Boston, Massachusetts.
8. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits, and subject to conditions imposed by him.

1. Report of Messrs. Faucher and Anders, October 23, on petition of Boston Edison Company for Grant of Location to install and maintain 281 feet of conduit with necessary wires, cables and related apparatus therein to be used for the transmission of electricity along and beneath a portion of Veterans of Foreign Wars Parkway in the West Roxbury District of the City of Boston, at a one-time fee of $446.50

ORDERED that, on petition of Boston Edison Company, dated October 5, 1989, for location, shown on Plan of Boston Edison Company dated February 27, 1989, entitled "Plan of V.F.W. Parkway, West Roxbury (WD-20) Showing Proposed Conduit Locations" to place in the City of Boston namely Veterans of Foreign Wars Parkway, as follows: a distance of approximately 281 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity, said location having been found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, November 2, 1989 at 10:00 A.M., in the Marilyn Morrison Commission Meeting Room /f the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require, said Boston Edison Company is hereby granted a location for approximately 281 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity, in the Veterans of Foreign Wars Parkway, in the West Roxbury District, in the City of Boston, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-

1. Boston Edison Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. Boston Edison Company shall do the work of installing said conduit with necessary wires, cables and related apparatus therein, the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.
3. Boston Edison Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District

Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.

4. Boston Edison Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.
5. Boston Edison Company shall take all possible measures during construction to reduce the impact on the area.
6. Boston Edison Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said conduit with necessary wires, cables and related apparatus therein, may hereafter become necessary.
7. Boston Edison Company to pay a one-time fee of $446.50 for approximately 281 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of electricity and to be owned by the petitioner, in the Veterans of Foreign Wars Parkway, in the West Roxbury District, in the City of Boston, Massachusetts.
8. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits, and subject to conditions imposed by him.

1. Report of Messrs. Faucher and Anders, October 25, on petition of New England Telephone and Telegraph Company for Grant of Location to install approximately 397 feet of conduit with necessary wires, cable, and related apparatus therein to be used for transmission of intelligence to the Northeastern University Boathouse, Soldiers Field Road, in the Brighton District of the City of Boston, at a one time fee of $595.50.
ORDERED that, on petition of New England Telephone and Telegraph Company, dated October 17, 1989, for location, shown on Plan of New England Telephone and Telegraph Company, entitled "Project No. 929009, Location - Brighton, Massachusets, Title - 1380-1315 Soldiers Field Road" to place in the Brighton District of the City of Boston namely Soldiers Field Road, as follows: a distance of approximately 397 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of intelligence to the Northeastern University Boathouse, said location having been found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, November 2, 1989 at 10:00 A.M., in the Marilyn Morrison Commission Meeting Room of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require, said New England Telephone and Telegraph Company is hereby granted a location for approximately 397 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of intelligence, in Soldiers Field Road in the City of Boston, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-

1. New England Telephone and Telegraph Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. New England Telephone and Telegraph Company shall do the work of installing said conduit with necessary wires, cables and related apparatus therein, the location hereby granted subject

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to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.

3. New England Telephone and Telegraph Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.
4. New England Telephone and Telegraph Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.
5. New England Telephone and Telegraph Company shall take all possible measures during construction to reduce the impact on the area.
6. New England Telephone and Telegraph Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said conduit with necessary wires, cables and related apparatus therein, may hereafter become necessary.
7. New England Telephone and Telegraph Company to pay a one-time fee of $595.50 for approximately 397 feet of conduit with necessary wires, cables and related apparatus therein, to be used for the transmission of intelligence and to be owned by the petitioner, in Soldiers Field Road in the City of Boston, Massachusetts.
8. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits, and subject to conditions imposed by him.

1. Report of Messrs. Faucher and Chan, October 2, submitting for approval and signature a cooperative agreement, between the MDC and MWRA, calling for the expenditure of $20,771.48 by the Commission for the installation of a new water service meter on the water line, located at Nut Island, which continues to Peddocks Island. Account No. 2440-0010-12.
The Commission V O T E D: Approved.
The Secretary then submitted for signature cooperative agreement, dated November 2, 1989, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Messrs. Faucher and Giella, October 23, on bids for Annual Maintenance of Carpeting at the MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts - FY90 and 91, Contract No. P89-1565-M1A.
(Messrs. Faucher and Giella recommend that the invalid low bid of Clean Sweep/Wilson Carpet Cleaning be rejected because their proposal was filled in improperly.
Messrs. Faucher and Giella further recommend acceptance of the only qualified bid, that of Apple Corp., Inc., of $14,556.56 (FY90 - $7,278.28 and FY 91 - $7,278.28).
Account No. 2440-0010-12/FY90 and 1991.
Associate Commissioner Jones noting the financial condition of the State, and the possible lay-off of MDC employees, moved that the item be deleted from the Agenda.
The Commission discussed the need to maintain the carpeting and noted that if not properly cared for the carpeting would have to be replaced at a great cost. In addition, if Headquarters Building is allowed to deteriorate, it would have a further detrimental affect on the morale of Commission employees.
The motion of Associate Commission Jones to Delete the item from the Agenda was not seconded. Therefore, the motion did not carry.
The Commission V O T E D: to reject the invalid low bid of Clean Sweep/Wilson Carpet Cleaning.
The Commission further V O T E D: to accept the only qualified bid, that of Apple Corp., Inc., of $14,556.56, as recommended by

Messrs. Faucher and Giella in their report of October 23, 1989. Associate Commissioner Jones voted opposed to this action of the Commission.

1. Report of Messrs Faucher and Arinella, October 25, recommending approval of an extension of time from October 31, 1989 to January 31, 1990, on Contract No. P86-1422-M1A, with Kenett Corporation, for Servicing Hydraulic Systems at the Charles River Dam, Charlestown, due to the need to process a new contract. (The extension of time is at no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from October 31, 1989 to January 31, 1990, as recommended by Messrs. Faucher and Arinella in their report of October 25, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs Faucher and Arinella, October 25, recommending approval of an extension of time from October 31, 1989 to November 30, 1989, on Contract No. P83-1347-M1A, with Underwater Construction Corp., for Maintenance, Service and Repairs to Locks, Draws and Other Underwater Structures, due to the need to process a new Contract.
(The extension of time is at no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from October 31, 1989 to November 30, 1989, as recommended by Messrs. Faucher and Arinella in their report of October 25, 1989, to be effective however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Soroka, October 25, recommending approval of the following on Contract No. P88-1513-C1A, with Tri-State Signal, Inc., for Construction and Reconstruction of Traffic Signals at Two Locations in Boston -
(a) An extension of time from July 10, 1989 to November 30, 1989.
(b) Revision in quantities on the following items -

Item 7	Signal Post Base and Foundation	- $ 500.00
Item 14	Detector Lead in Cable	- $ 276.00
Item 15	Traffic Signal Detector Loop	- $ 409.60
Item 16	Pavement Markings Removal	- $ 223.20
Item 20	Sign Support P-5 Channel Post	- $ 300.00
Item 23	Granite Edgestone VA-4 6" x 18"	- $1,046.40
Item 28	Crushed Stone for Curb Foundation	- $ 620.00
Item 30	Gravel Borrow	- $1,167.50
Item 33	Pavement Trimming	- $ 350.60

(c) Extra Work Order No. 1, in the amount of $525.00, for Adjusting one (1) Manhole and two (2) Catch Basins.
(Additional cost will be offset by unused quantities in other items).
The Commission V O T E D: to approve an extension of time, from July 10, 1989 to November 30, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to approve the revisions in quantities.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $525.00, as recommended by Messrs. Faucher and Soroka in their report of October 25, 1989.

Action was taken upon the following matter relating to the Flood Control/Management and Navigational Operations:

4. Report of Mr. Winter, October 9, requesting that the Commission ratify and approve the award of Emergency Contract to Kenett Corporation and authorize payment, in the amount of $1,131.14, for Emergency Repair and Removal of a Ten Gallon Accumulator at the Amelia Earhart Dam. Account No. 2440-0010.
The Commission V O T E D: to ratify and approve the award of

Emergency Contract to Kenett Corporation, for Emergency Repair and Removal of a Ten Gallon Accumulator at the Amelia Earhart Dam.
The Commission further V O T E D: to authorize payment, in the amount of $1,131.14, to Kenett Corporation.

Action was taken upon the following Various Matters:

1. Report of the Policy Committee, October 17, recommending approval of a Memorialization Policy for the Metropolitan District Commission.
The Commission V O T E D: Held Over.

2. Report of Concession Selection Committee, October 26, relative to award of Concessions, at the Emmons-Horrigan-O'Neil and Simoni Rinks for the 1989-1990 Season.
The Commission V O T E D: to award the following Skating Rink Concessions for the 1989-90 Skating seasons:

LOCATION	CONCESSIONAIRE	FEE
Emmons-Horrigan-O'Neil Rink, Charlestown	CHARLESTOWN YOUTH HOCKEY	$400.00 per season plus $20.00 per mo. for utilities.
Rev. Romano Simoni Skating Rink, Cambridge	CAMBRIDGE YOUTH HOCKEY	$300.00 per season plus $20.00 per mo. for utilities.

Associate Commissioner Scandrett did not vote on this matter.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mrs. Anderson, October 30, submitting for approval and signature license to Friends of the Blue Hills for use of the Corn Crib Building at Ponkapoag Golf Course, Canton, for a term of one year from the date of Commission signature and for annual terms thereafter unless terminated by either party.
Mrs. Anderson explained that The Friends of the Blue Hills have been using a section of the Redman Farm House in Canton, for their Nordic Ski Patrol and Fire Rescue Groups, for the past several years.
She then stated that the Commission's Blue Hills Reservation Unit is now in need of the entire Redman Farmhouse for storage of equipment. Several relocation sites were considered, she explained, and a small vacant structure (the "Corn Crib"), at Ponkapoag Golf Course, was identified and found to meet the needs of The Friends of the Blue Hills.
Mrs. Anderson noted that The Friends of the Blue Hills have agreed with the terms and conditions of the License-Agreement and it has been signed by the President of The Friends of the Blue Hills.
Mrs. Anderson then stated that Mr. Orfant of the Planning Office will work closely with The Friends of the Blue Hills to insure compliance with Commission occupancy requirements.
The Commission V O T E D: Approved.
The Secretary then submitted for signature license to The Friends of the Blue Hills, dated November 2, 1989, for use of the "Corn Crib" Building at Ponkapoag Golf Course, Canton, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Watershed Management Division:

4. Report of Mr. McGinn, October 30, requesting approval of the Watershed Lands Acquisition Program FY/90 and that the Office of Real Property be authorized to take steps to implement the Program.
Mr. McGinn briefed the Commission on the Watershed Land

Acquisition Program. He explained that the Program has received the approval of the Secretary of Environmental Affairs and is now waiting final approval from the Office of Administration and Finance.
Associate Commissioner Jones questioned why the Watershed Lands Acquisition Program FY/90 was forwarded to the Executive Office of Environmental Affairs and Administration and Finance prior to receiving Commission approval.
At this point, Mrs. Anderson reviewed Phase I, II, and III of the Land Acquisition Program. She explained that Commission approval is now necessary so the process can get underway, without delay, once the Program is approved by Administration and Finance.
Mrs. Anderson stated that the cost of land acquisition, including ancillary costs, will be $9,500,000.00.
The Commission then reviewed the Ancillary Services as outlined in Mr. McGinn's and Mrs. Anderson's memo of October 20, 1989.
Mr. Wright noting that back-up information on Ancillary Costs indicates that the services of a Program Manager, Specialist Counsel II, is included. He then stated that any Legal Counsel employed by the Agency should be assigned to work under the supervision of the General Counsel.
Associate Commissioner Jones then questioned whether the positions as outlined in the Ancillary Costs section of the would be Commission employees. Mrs. Anderson stated that they would be hired as "03" employees.
Associate Commissioner Scandrett moved that the Commission accept the report of Mr. McGinn and Mrs. Anderson with the provision that the page which includes Ancillary Costs be removed from the report.
The Commission V O T E D: to accept with enthusiasm the report of Mr. McGinn and Mrs. Anderson with the provision that the page outlining the Ancillary Costs be removed from the report.

Action was taken upon the following matter relating to the Metropolitan Police Division:

1. Request of Michael Penta, President of Penta Auto Body, Inc., that the Commission reconsider the vote of September 28, 1989, when it voted to terminate the Towing Contract with Penta Auto Body, Inc., due to unsatisfactory performance.
The Commission V O T E D: Held Over.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from October 16, 1989 to October 23, 1989.

Expenditures	$367,839.49
Summer Youth	$ 610.56

Adjourned at 1:45 p.m. to meet on Thursday, November 9, 1989 at 10:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Five Hundred and Fifth (3505th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 9, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on October 26, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P89-1567-M1A, dated November 9, 1989, with Marine and Industrial Diving, Inc., Repair and Maintenance to Locks, Dams and Other Underwater Structures within the MDC.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mr. Faucher and Ms. Pomorska, October 30, recommending approval of the following on Contract No. P87-1472-C1A, with Tri-State Signal, Inc., for Installation of Mid-Block Pedestrian Signals at Peabody Circle -
(a) Revision in quantities on the following items -
Item 19 - Concrete Sidewalks - $500.00
Item 21 - Grade, Lime and Seed - $520.00
Item 22 - Granite Curb Straight - $950.00
(b) An extension of time from June 2, 1989 to November 30, 1989.
(Cost will be offset by unused quantities in other items).
The Commission V O T E D: to approve the revision in quantities.
The Commission further V O T E D: to approve an extension of time, from June 2, 1989 to November 30, 1989, as recommended by Mr. Faucher and Ms. Pomorska in their report of October 30, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Carrigan, October 23, recommending approval of the following on Contract No. P89-1552-C1A, with Reynolds Brother Co., Inc., for Construction of Parking Lot, Franklin Park Zoo, Boston, Massachusetts -
(a) Revision in quantities on the following items -
Item 001-010 - Unclassified Excavation - +$25,600.00
Item 011-040 - Granite Curb-Remove and Reset - +$ 1,000.00
Item 018-030 - 18 inch Reinforced Concrete Pipe - +$ 2,400.00
Item 031-010 - Vehicle Signal Head Assembly Three Section - 12 inch Lens - +$ 500.00
Item 033-010 - Three Inch Galvanized Steel Conduit - +$ 3,000.00
Item 060-010 - Lawn Seeding - +$ 8,000.00
(b) Extra Work Order No. 1 - Temporary Lighting - +$ 8,842.00
(c) Alteration No. 1 - Item 008-020-Loam Borrow - -$19,800.00
(The revision in quantities and the extra work order will be completed at no further obligation to the Commission. The Alteration will result in a credit to the Commission).
The Commission V O T E D: to approve the revisions in quantities.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $8,842.00.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of $19,800.00 credit to the Commission."

4. Report of Messrs. Faucher and Higgott, November 2, recommending approval of an Amendment to Contract-Agreement No. P80-0844-D2A, with SEA Consultants, for Rehabilitation of Mill Pond and Duck Pond Dams, Beaver Brook Reservation, Belmont and Waltham, Massachusetts, which extends Time for Performance from October 15, 1989 to October 15, 1992.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Higgott in their report of November 2, 1989.

1. Report of Messrs. Faucher and Lespasio, October 27, recommending approval of an Amendment to Contract-Agreement No. P82-1047-D1C, with Howard Needles Tammen and Bergendoff, for Rehabilitation of Lynnway, which will transfer funds in the amount of $11,378.00 from Task C (Public Participation Program - $2,952.00) and Task D (Reimbursable Expenses - $8,426.00) to Task B (General Edwards Bridge).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of October 27, 1989.

2. Report of Messrs. Faucher and Lespasio, November 1, recommending that the Landscape Architect be authorized to change the species of 75 trees to be planted on Contract No. P82-1047-C2A, with John Mahoney Construction, for Rehabilitation of Lynnway/Carroll Highway, Lynn, Massachusetts, at no additional cost to the Commission.
The Commission V O T E D: Approved.

3. Report of Mr. Faucher and Ms. Peterson, October 31, recommending the following on Contract No. P82-1052-C1A, with Modern Continental Construction Company, for Proposed Bridge Improvements Philip Briggs Bowker Interchange, Storrow Drive Structure-West abutment, Boston, Massachusetts (EMERGENCY CONTRACT).
(a) That work be accepted as completed as of September 15, 1989.
(b) That Estimate No. 4 (Final), in the amount of $93,519.19, be approved for payment.
(c) That reserve, in the amount of $18,783.33, be approved for payment.
(Basis of Award - $383,900.00)
(Total to Date - $375,666.61)
(Contract Administration Rating - 4.50)
(EEO Compliance - N/A)
Associate Commissioner Jones spoke of the lack of lighting under the Bowker Interchange.
Mr. Lespasio explained that the lights are subject to continual vandalism. He noted that as soon as the lights are installed they are vandalized.
Associate Commissioner Jones then asked that the Division look into the possibility of installing vandal proof lighting under the structure.
The Commission V O T E D: that the work of Modern Continental Construction Company, Contractor under Contract No. P82-1052-C1A, for Proposed Bride Improvements Philip Briggs Bowker Interchange, Storrow Drive Structure - West abutment, Boston, Massachusetts (EMERGENCY CONTRACT), be and hereby is accepted as completed as of September 15, 1989.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $93,519.19, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $18,783.33, for payment.

4. Report of Messrs. Faucher and Griffin, November 8, on bids for Alewife Brook Short Term Clean-Up, Cambridge, Somerville and Arlington, Contract No. P88-1546-C1A. Account No. 2440-9898. (Messrs. Faucher and Griffin recommend acceptance of the low bid, that of C. J. Mabardy, Inc., of $77,000.00).
The Commission V O T E D: to accept the low bid, that of C. J. Mabardy, Inc., of $77,000.00.

Action was taken upon the following matter relating to the Office of Landscape Architect:

5. Report of Mr. Jackson and Ms. Zilligen, November 7, recommending approval of an Amendment to Contract-Agreement No. P82-1034-D1A, with The Halvorson Company, for Rehabilitation of Beaver Brook Reservation in Belmont and Waltham, Massachusetts, which extends Time for Performance from September 11, 1989 to December 11, 1992.
The Commission V O T E D: Approved as requested by Mr. Jackson and Ms. Zilligen in their report of November 7, 1989.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mr. Orfant, November 2, submitting for final approval and signature Saugus Care and Control Agreement.
(July 20, 1989 - Commission voted to grant preliminary approval for a Care and Control Agreement between the MDC and the Town of Saugus for 60 acres of land in East Saugus for flood and natural resource protection).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Saugus Care and Control Agreement, dated November 9, 1989, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matter:

2. Report of the Policy Committee, October 17, recommending approval of a Memorialization Policy for the Metropolitan District Commission.
The Commission V O T E D: Delete from Agenda.

Action was taken upon the following matter relating to the Metropolitan Police Division:

3. Request of Michael Penta, President of Penta Auto Body, Inc., that the Commission reconsider vote of September 28, 1989, when it voted to terminate the Towing Contract with Penta Auto Body, Inc., due to unsatisfactory performance.
The Commission V O T E D: Held Over for reconsideration at the Commission Meeting of November 16, 1989.

Adjourned at 12:15 p.m. to meet on Thursday, November 16, 1989 at 10:00 a.m.

William F. Cruskin
Secretary

Record of the Three Thousand Five Hundred and Sixth (3506th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 16, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on November 2, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

RESOLUTION

1. Resolved: That the Metropolitan District Commission, assembled in its Meeting held on November 16, 1989, does hereby express its deep and sincere appreciation to Edward J. Gallagher for his many years of faithful and productive service for the Metropolitan District Commission, and for the example he has set as a conscientious and dedicated public servant; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many, and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Gallagher.

Action was taken upon the following matter relating to the Police Division:

2. Request of Michael Penta, President of Penta Auto Body, Inc., that the Commission reconsider vote of September 28, 1989, when it voted to terminate the Towing Contract with Penta Auto Body, Inc., due to unsatisfactory performance.
Police Superintendent Bratton reviewed in detail the reasons for the Police Division's recommendation that the Towing Contract with Penta Auto Body, Inc., be terminated. He then reviewed the correspondence leading to the termination.
Testimony was also given by MDC Police Officer Joseph Vitello, of the Charles River Lower Police District coordinator of towing firms assigned to that District.
The Commission also heard testimony given by Penta's Attorney Salvatore J. Ciccarelli; Ernest Rossi, General Manager of Penta Auto Body, Inc. and Joseph Bella of Penta Auto Body, Inc.
Representative John T. Bartley also spoke on behalf of Penta Auto Body, Inc.
Following a lengthy discussion concerning the matter of reconsideration of the Commission vote of September 28, 1989, whereby the Commission terminated the Towing Contract, Associate Commissioner Scandrett moved that the Commission reconsider its vote. Associate Commissioner O'Malley seconded the motion.
On Associate Commissioner Scandrett's motion, Associate Commissioner O'Malley and Associate Commissioner Scandrett voted in favor; Commissioner Bhatti, Associate Commissioner Whelan and Associate Commissioner Jones opposed.
Associate Commissioner Scandrett's motion, therefore, did not carry.
The matter was deleted from the agenda.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Carrigan, November 9, recommending approval of an extension of time from November 30, 1989 to December 31, 1989, on Contract No. P89-1522-C1A, with Reynolds Brothers Inc./Reynolds Equipment Corp. (JV), for Construction of Parking Lot Franklin Park Zoo - Boston, Massachusetts, to complete the installation of plantings which have been delayed due to recent wet weather.
(At no additional cost to the Commission).

The Commission V O T E D: to approve an extension of time, from November 30, 1989 to December 31, 1989, as recommended by Messrs. Faucher and Carrigan in their report of November 9, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Kirwin, November 10, recommending approval of an extension of time from November 30, 1989 to January 31, 1990, on Contract No. P87-1480-M3A, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts, in order to continue to maintain traffic signals until approval for funding the next maintenance contract is received from Administration and Finance.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from November 30, 1989 to January 31, 1990, as recommended by Messrs. Faucher and Kirwin in their report of November 10, 1989, to be effective, however only upon receipt of the written consent of the bonding company, on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Kirwin, November 2, submitting for approval a Memorandum of Understanding between the Metropolitan District Commission and the Executive Office of Energy Resources for Storrow Drive Overheight Vehicle Detection Project; also requesting approval for Commissioner Bhatti to sign Memorandum of Understanding on behalf of the Commission.
Associate Commissioner Jones noting that the Executive Office of Energy Resources (EOER) could be abolished, suggested that Legal Counsel and Contract Administration insert a clause in the Memorandum of Understanding ensuring that Federal Funds allocated for the project continue under any Executive Office or Agency which might assume the commitments of EOER.
The Commission V O T E D: to approve a Memorandum of Understanding between the Metropolitan District Commission and the Executive Office of Energy Resources for Storrow Drive Overheight
The Commission further V O T E D: to authorize Commissioner Bhatti to sign the Memorandum of Understanding on behalf of the Commission.

3. Report of Messrs. Faucher and Arinella, November 9, on bids for Testing, Repair, Replacement, Servicing and Maintenance to the Hydraulic Power Systems at all Locks, Dams, Draws and other areas of the Flood Control Management Division of the MDC, Contract No. P89-1568-M1A. Account No. 2440-0010-12.
(Messrs. Faucher and Arinella recommend acceptance of the only bid received, that of Balfour Engineering Co., Inc., of $111,500.00 for a two year period).
The Commission V O T E D: to accept the only bid received, that of Balfour Engineering Co., Inc., of $111,500.00.

4. Report of Messrs. Faucher and Higgott, November 8, submitting Project Justification and Work Schedule and requesting approval to advertise Contract No. P82-1079-C1A, Repairs to Seawall and Related work and include as Add Alternates the Rehabilitation of Pavilions and Bandstand in the Contract if funds allow.
Estimated Cost of Base Contract is $6.0 Million and Add Alternates, for Reconstruction of the Pavilions, $1.0 Million.
Account No. 2440-8881.
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Giella, November 7, recommending approval of an extension of time from October 27, 1989 to November 24, 1989, on Contract No. P89-1557-C1A, with CCM Corporation, for Replacement of Doors at the Aviary in the Stone Zoo, Stoneham, Massachusetts, additional time needed to manufacture, deliver and install acceptable products.
The Commission V O T E D: to approve an extension of time, from October 27, 1989 to November 24, 1989, as recommended by Messrs. Faucher and Giella in their report of November 7, 1989, to be effective, however, only upon receipt of the written consent of

the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Kirwin, November 6, recommending that the Commission ratify the action of the Division in temporarily expanding the scope of work during the months of January and February, 1988 on Contract No. P87-1480-M3A, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
Messrs. Faucher and Kirwin further recommend approval of revisions in quantities, at no extra cost to the Commission, on the following:

Item No. 002-010 -	Materials, Components, Parts and Controls	- +$25,240.00
Item No. 003-010 -	Flashing Traffic Control Device Knockdown Repair	- -$ 650.00
Item No. 005-010 -	Labor Rate for Licensed Electrician (Cont. Tech)	- -$10,340.00
Item No. 008-010 -	Hourly Rate for Vehicle for Miscellaneous Repairs	- +$ 4,320.00
Item No. 009-010 -	Vehicle Signal Head-Single Section - 8Inch Lens	- -$ 7,200.00
Item No. 010-010 -	Vehicle Signal Head-Single Section - 12Inch Lens	- -$ 7,700.00
Item No. 012-010 -	Pedestrian Signal Head-Type B	- +$ 950.00
Item No. 014-010 -	Post Top Mounting - Two Way	- -$ 4,320.00
Item No. 016-010 -	Pedestrian Pushbutton and Sign	- -$ 2,220.00
Item No. 017-010 -	Traffic Signal Metal Base -Octagonal	- -$ 1,600.00
Item No. 020-010 -	Communication System and Clerical Work	- +$ 1,600.00
Item No. 024-010 -	Traffic Signal Cable-15 Conductor	- +$ 650.00
Item No. 028-010 -	Traffic Signal Loop-Detector	- -$ 950.00
Item No. 029-010 -	Traffic Control Services	- +$ 2,220.00

The Commission V O T E D: to ratify the action of the Division in temporarily expanding the scope of work during the months of January and February, 1988 on Contract No. P87-1480-M3A, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
The Commission further V O T E D: to approve the revisions in quantities, at no extra cost to the Commission, as recommended by Messrs. Faucher and Kirwin in their report of November 6, 1989.

2. Report of Messrs. Faucher and Griffin, August 9, recommending approval of an amendment to Contract-Agreement No. P82-1032-D1D, with BETA Engineering, for Sewering of the Blue Hills - Police Station and Canton Avenue Sanitary Facilities - Town of Milton and Town of Canton, which extends Time of Performance from December 30, 1989 to June 30, 1992 and increases the maximum obligation from $50,803.00 to $75,784.00.
Account No. 2440-7847.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Griffin in their report of August 9, 1989.

3. Report of Messrs. Faucher and Griffin, November 7, recommending approval of First Amendment to Contact-Agreement No. P78-0564-X2B, with Hayden Wegman Consulting Engineers, for Lower Mystic Lake Restoration Operation and Maintenance, which extends Time for Performance from December 31, 1989 to December 31, 1990, at no additional cost to the Commission.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Griffin in their report of November 7, 1989.

4. Report of Messrs. Faucher and Lenhardt, November 14, recommending that the Commission ratify the action taken by the Division in the solicitation of bids on Emergency Contract for Temporary Pier D Support - Monsignor William J. Casey Overpass, Boston, Massachusetts, Contract No. P84-1276-C5A. Messrs. Faucher and Lenhardt further recommend acceptance of the lowest bid received for the emergency work, that of Modern Continental Construction Co., Inc., of $112,000.00. Account No. 2490-8881.
The Commission V O T E D: to ratify the action taken by the

Division in the solicitation of bids on Emergency Contract for Temporary Pier D Support - Monsignor William J. Casey Overpass, Boston, Massachusetts, Contract No. P84-1276-C5A.
The Commission further V O T E D: to accept the lowest bid, that of Modern Continental Construction Co., Inc., of $112,000.00.

Action was taken upon the following Various Matters:

1. Request of Charles Riverboat Company to extend their three year Permit for excursion boat services on the Charles River, due to loss of one year's operation caused by delays in obtaining required permits.
Mr. Russell Cushman, representing Charles Riverboat Company, stated that due to problems encountered in obtaining original as-built plans for the existing dock, which are required by the Cambridge Conservation Commission and the U.S. Corps of Engineers, he has been unable to obtain necessary repair permits. Therefore, he explained, the Charles River Cruise Service has not been in operation for the first year of the three year Agreement. He then explained that his firm will now have to engage the services of an Architect to survey and prepare plans for the dock, in its present condition, and then prepare plans outlining the proposed improvements.
This work, he noted, will increase the Charles Riverboat Company's expenses for repairs and improvements to the dock from the original proposal of $15,000.00 to $25,000.00.
Mr. Cushman then requested that the Commission extend the Agreement thereby offsetting the loss of the 1989 season and the additional cost of preparing the necessary plans.
Following a lengthy discussion concerning an extended Agreement, the Commission V O T E D: to Amend the existing Agreement between the Charles Riverboat Company, Inc., and the MDC executed on June 7, 1989 by striking from Paragraph No. 1, the following - the 1989, 1990, and 1991 seasons and inserting in its place thereof the following: 1990 - 1991 and 1992 seasons; by striking from Paragraph No. 3, the following - May 1, 1989 and inserting in its place thereof the following: - May 1, 1990 and by striking from Paragraph No. 16, the following - 1989 - 1990 - 1991 schedule and inserting in its place thereof the following: - 1990 - 1991 - 1992 Schedule.

2. Report of Mr. Jewett, November 15, requesting that the Commission approve an Amendment to the Contract-Agreement with Evelyn D. Feld, for providing the service of Survey Archivist/Records Management Analyst, which will ratify the current time for performance and increase compensation from $26,250.00 to $35,625.00. The increased compensation will allow for the employment of archival assistants.
Account No. 2410-9000 - Federal Grant Account.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of November 15, 1989.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Mr. McGinn, September 14, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1686, conveying Northeasterly 1/8 of Lot No. 1322, to Mrs. Margaret E. Covey, Leighton Road, Petersham, Massachusetts 01366.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1686, dated November 16, 1989, which was signed by the Commissioner and two Associate Commissioners.

4. At this point, Associate Commissioner Whelan informed the Commission that on Sunday, November 12, 1989, MDC Skating Rinks were open and staffed with a limited number of Commission personnel. Unfortunately, he noted, parents and children were not permitted to participate in public skating because no skating guards have been hired. He then stated that hockey and other groups were permitted to use the ice surface but public skating was not permitted although each rink had two or three people on duty and being paid by the Commission.

Associate Commissioner Whelan then pointed out that he has discussed this matter with Mr. Rodrigues, Director of Recreational Facilities and Programs and has urged him to put together a revised plan of public skating for this coming weekend (November 18th and 19th), since public skating should not be eliminated.
Associate Commissioner Jones moved that the Commission affirm its position that public skating cannot be eliminated from MDC rinks and that Commissioner Bhatti be authorized to take all necessary steps to ensure the continuance of public skating at all MDC rinks. The motion was seconded and approved unanimously.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from October 23, 1989 to November 6, 1989.

Expenditures	$2,699,586.19
Summer Youth	$ 1,778.82

Adjourned at 1:55 p.m. to meet on Thursday, December 7, 1989 at 10:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Five Hundred and Seventh (3507th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 7, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on November 9, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P89-1565-M1A, dated December 7, 1989, with Apple Corp., Inc., for Annual Maintenance of Carpeting at the MDC Headquarters building, 20, Somerset Street, Boston - FY90 and 91.

2. Emergency Contract No. P84-1276-C5A, dated December 7, 1989, with Modern Continental Construction Co., Inc., for Temporary Pier D Support - Monsignor William J. Casey Overpass, Boston.

3. Contract No. P89-1568-M1A, dated December 7, 1989, with Balfour Engineering Co., Inc., for Testing, Repair, Replacement, Servicing and Maintenance to the Hydraulic Power Systems at all Locks, Dams, Draws and Other Areas of the Flood Control Management Division.

4. First Amendment, dated December 7, 1989, to Contract-Agreement with Evelyn D. Feld, for Providing the Service of Survey Archivist/Records Managment Analyst.

5. First Amendment, dated December 7, 1989, to Contract-Agreement No. P78-0564-X2B, with Hayden Wegman Consulting Engineers, for Lower Mystic Lake Restoration Operation and Maintenance.

6. Third Amendment, dated December 7, 1989, to Contract-Agreement No. P82-1032-D1D, with BETA Engineering, for Sewering of the Blue Hills - Police Station and Canton Avenue Sanitary Facilities - Town of Milton and Town of Canton.

7. Contract No. P88-1546-C1A, dated December 7, 1989, with C. J. Mabardy, Inc., for Alewife Brook Short Term Clean-Up, Cambridge, Somerville and Arlington.

Action was taken upon the following matters relating to the Engineering and Construction Division:

8. Report of Messrs. Faucher and Chan, October 12, recommending the following on Contract No. P89-1564-C1A, with J. F. Walton & Co., Inc., for Duck Pond Cleaning, Franklin Park Zoo, Boston -
(a) That work be accepted as completed as of August 8, 1989.
(b) That Estimate No. 1 (Final), in the amount of $7,165.00, be approved for payment.
(Basis of Award - $7,165.00)
(Total to Date - $7,165.00)
(Contract Administration Rating - 3.50)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of J. F. Walton & Co., Inc., Contractor under Contract No. P89-1564-C1A, for Duck Pond Cleaning, Franklin Park Zoo, Boston, be and hereby is accepted as completed as of August 8, 1989.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $7,165.00, for payment.

9. Report of Mr. Faucher and Ms. Jones, November 16, recommending approval of an extension of time from November 30, 1989 to May 31, 1990, on Contract No. P88-1540-M2A, with Expert Lines, for Parking Lines for Parking Spaces at Various Locations in the Greater Metropolitan Boston Area, due to the need for additional work and to complete work cancelled due to inclement weather. (At no additional cost to the Commission)
The Commission V O T E D: to approve an extension of time, from November 30, 1989 to May 31, 1990, as recommended by Mr. Faucher

and Ms. Jones in their report of November 16, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and McCalla, November 16, recommending approval to revise quantities on Item No. 3, Hourly Rate for Transportation, at a cost of $184.00, on Contract No. P88-1506-M1A - FY89 - FY90, with Coviello Electric and General Contracting Co., for Electronic and Sound System Maintenance and Repair Work at Sports Facilities and Recreational Areas of the Metro Parks System, due to a slight underestimation of quantities on the Contract.
(At no additional obligation as there are unused quantities in other items which will offset the requested increase).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and McCalla in their report of November 16, 1989.

2. Report of Messrs. Faucher and Lespasio, November 21, recommending approval to revise the quantity on Item No. 97 - Transplanting Existing Shrubs, at a cost of $4,600.00, on Contract No. P82-1047-C2A, with John Mahoney Construction Co., for Rehabilitation of the Lynnway/Carroll Parkway, Lynn,, due to the need to transplant existing shrubs at various locations.
(At no additional obligation as there are unused quantities in other items which will offset the requested increase).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of November 21, 1989.

3. Report of Messrs. Faucher and Lenhardt, November 28, relative to the Bridge Rating Report for Hammond Pond Parkway Bridge (MDC-497-093-100) and requesting that the Bridge be posted as follows:

2 Axle Type H	Truck	- 11 Ton
3 Axle Type 3	Truck	- 18 Ton
5 Axle Type 3S2	Truck	- 29 Ton

Also requesting that Metro Police be authorized and directed to post the necessary regulatory signs.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of November 28, 1989.
The Commission further V O T E D: to authorize and direct the Metro Police to post the necessary regulatory signs.

4. Report of Messrs. Faucher and Young, November 29, on bids for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC, Contract No. P90-1570-M1A - Calendar Years 1990-1991. Account No. 2444-9001-12.
(Messrs. Faucher and Young recommend acceptance of the lowest bid received, that of Penachio Brothers, of $662,311.40).
The Commission V O T E D: to accept the lowest bid, that of Penachio Brothers, of $662,311.40.

5. Report of Messrs. Faucher and Young, November 20, recommending approval of Extra Work Order No. 1, in the amount of $15,850.98, for Lighting in Memorial Drive Underpass at Massachusetts Avenue, on Contract No. P77-0404-C2A, with Vigil Electric Company, for Street Lighting Modernization, Memorial Drive, from Wadsworth Street to 300 feet West of Fowler Street, Including 900 Feet Frontage of John F. Kennedy Park.
(No additional funding required as the contract will underrun sufficiently to allow for this extra work).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $15,850.98.

6. Report of Messrs. Faucher and Carrigan, December 1, recommending that the Landscape Architect be authorized to change the species of 15 trees to be planted on Contract No. P89-1552-C1A, with Reynolds Brothers Inc./Reynolds Equipment Corp. (J.V.), for Franklin Park Zoo Parking Lot Project.
(At no additional cost to the Commission).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Terzian, November 21, submitting for approval and signature, Joint Funding Agreement, with the United States Department of the Interior, Geological Survey, for Gaging Stations Within Charles River and Mystic River Watersheds, Contract No. P88-1530-M2A, covering the period from October 1, 1989 to September 30, 1990; the amount of funds to be contributed by the MDC to be $19,050.00 and U.S.G.S. contribution to be $19,050.00. Account No. 2440-0010-13.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated December 7, 1989, with the United States Department of the Interior, Geological Survey, which was signed by the Commissioner and two Associate Commissioners.

2. Report of Messrs. Faucher and Okeke, November 15, on bids for Repairs to Goder Incinerator, Franklin Park Zoo, Contract No. P90-1571-M1A. Account No. 2443-0001.
(Messrs. Faucher and Okeke recommend acceptance of the only bid received, that of Balfour Engineering Co., Inc., of $27,200.00).
Also submitting the Contract for execution by the Commission.
The Commission V O T E D: to accept the only bid received, that of Balfour Engineering Co., Inc., of $27,200.00.
The Secretary then submitted for signature Contract No. P90-1571-M1A, dated December 7, 1989, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. Faucher and Okeke, November 15, recommending that the Commission ratify and approve the award of Emergency Contract No. P90-1572-C1A, to Carl-Louis and Company, Inc., the lowest bidder, and authorize payment, in the amount of $12,600.00, for Replacement of One Gas Fired Hot Water Heating Boiler at the Reilly Rink, Cleveland Circle, Brighton, Massachusetts. Account No. 2440-7893.
Also submitting Contract for execution by the Commission.
The Commission V O T E D: to ratify and approve the award of Emergency Contract No. P90-1572-C1A, to Carl-Louis and Company, Inc., the lowest bidder, and authorize payment, in the amount of $12,600.00.
The Secretary then submitted for signature Contract No. P90-1572-C1A, dated December 7, 1989, which was signed by the Commissioner and four Associate Commissioners.

4. Report of Messrs. Baratta and Faucher, November 27, relative to cost settlement from Fay Spofford and Thorndike and CNA Insurance Companies for storm damage on Contract No. P80-0793-D1A, for Engineering and Design Services for Slope Protection at the Main Causeway (Phase I) Castle Island and the Castle Island Park Area (Phase II).
Mr. Baratta updated the Commission on details of the cost settlement.
Associate Commissioner Jones questioned if the Engineering and Construction Division is satisfied that the cost settlement will provide adequate funds for needed repairs. Mr. Baratta responded in the affirmative.
Associate Commissioner Jones further questioned if Legal Counsel participated in the negotiations and was satisfied with the results. Mr. Baratta responded in the affirmative.
Associate Commissioner Jones further questioned if the Contract Administrator was satisfied that the negotiations were in compliance with applicable Statutes of the Commonwealth of Massachusetts. Mr. Baratta responded in the affirmative.
Following a lengthy discussion, the Commission V O T E D to approve the recommendations of Messrs. Baratta and Faucher as follows:
1. CNA Insurance Companies Insurance Companies shall pay to Fay Spofford & Thorndike the sum of $60,000.00 on December 7, 1989. In addition, CNA Insurance Companies shall pay the sum of $68,000.00 to Fay Spofford & Thorndike on March 31, 1990, for engineering services furnished and/or to be furnished to and/or for the benefit of the MDC in connection with the Reconstruction/Improvement Project. Therefore CNA Insurance Companies will pay a total of $60,000.00 + $68,000.00 = $128,000.00 to Fay Spofford & Thorndike.

2. CNA Insurance Companies shall pay the sum of $932,000.00 to the MDC on March 31, 1990.
3. The terms of this settlement, including the terms of the agreement under which engineering services are to be furnished by Fay Spofford & Thorndike in connection with the Reconstruction/Improvement Project, will be memorialized and set forth in a settlement agreement which will include a release to Fay Spofford & Thorndike of any and all liability to and claims of the MDC arising out of or relating to services performed under Fay Spofford & Thorndike's prior agreements relating to slope protection only. The specifics will be spelled out in said settlement agreement.

1. Report of Messrs. Faucher and Mayhew, November 23, requesting that the Commission re-affirm its vote of July 14, 1988, at which time authority was given to readvertise Contract No. P86-1393-C3A, Rehabilitation of the Rev. Romano Simoni Ice Skating Rink, Cambridge, the Louis E. Porrazzo Ice Skating Rink, East Boston. Estimated Cost $2,200,000.00. Accounts Numbered 2440-7870, 2440-7879, 2440-9883 and 2440-7893.
Associate Commissioner Jones stated he felt it would not be prudent to approve this $2,200,000.00 project until such time as the budget crisis has been resolved.
Commissioner Bhatti explained that approval of this request will permit the Division to proceed with the project when and if funds become available.
The Commission V O T E D: to re-affirm its vote of July 14, 1988, at which time authority was given to readvertise Contract No. P86-1393-C3A, Rehabilitation of the Rev. Romano Simoni Ice Skating Rink, Cambridge, the Louis E. Porrazzo Ice Skating Rink, East Boston.
Associate Commissioner Jones desired to be recorded as opposed to this action of the Commission.

2. Report of Messrs. Faucher and Lespasio, December 7, requesting that the Commission ratify and approve the actions taken by the Division in closing Monsignor William J. Casey Overpass, MDC Bridge No. 47, to all traffic effective 10:00 A.M., December 7, 1989.
The Commission V O T E D: to ratify and approve the actions of the Division, as requested by Messrs. Faucher and Lespasio in their report of December 7, 1989.

Action was taken upon the following matter relating to the Office of Landscape Architect:

3. Report of Mr. Jackson and Ms. Zilligen, December 1, submitting Project Summary Form, Quarterly Project Status Report, Project Justification and requesting permission to advertise Contract No. P88-1542-C1A, Improvements to Johnson Playground, Boston (SWCP). Estimated Cost $500,000.00. Account No. 2440-8817.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Flood Control/Management and Navigation Operations Division:

4. Report of Mr. Winter, November 27, recommending that the Commission ratify and approve the award of an Emergency Clean-Up Project to Clean Harbors and authorize payment in the amount of $2,064.50, for Emergency Clean-Up of Hydraulic Oil Spill, at the Amelia Earhart Dam. Account No. 2440-0010-12.
Mr. Winter explained that upon being informed of the spill, he immediately contacted the Department of Environmental Protection and was given the names of three firms qualified to perform the cleanup. Of the three firms, Clean Harbors was chosen to perform the work because of its ability to respond in a timely manner and also because of its previous experience with the facility.
He then stated that he was under U.S. Coast Guard orders to have the spill removed before a change in tides.
Associate Commissioner Whelan requested that the Contract Administrator investigate the possibility that the Contractor working on the Dam may be responsible for payment of the cost of clean-up.

The Commission V O T E D: to ratify and approve the award of an Emergency Clean-Up Project to Clean Harbors.
The Commission further V O T E D: to authorize payment in the amount of $2,064.50, for Emergency Clean-Up of Hydraulic Oil Spill, at the Amelia Earhart Dam.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. McGinn, November 21, submitting for approval and signature Joint Funding Agreement, with the United States Department of the Interior, Geological Survey, to provide funds and personnel to assist in carrying out a cooperative investigation of water resources covering the period October 1, 1989 to September 30, 1990; the amount of money to be contributed by the MDC to be $18,900.00 and U.S.G.S. contribution to be $18,900.00.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated December 7, 1989, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mrs. Anderson, November 29, requesting authorization for the Real Property Office to proceed with negotiations to accept a gift of approximately 33,800 square feet of land located on Route 12 in the Town of Sterling, owned by Henry J. Szymkiewicz. Ms. Anderson further requests that the Real Property Office be authorized to finalize the acquisition.
On questioning by Associate Commissioner Jones, Mrs. Anderson responded that this item was not reviewed by Legal Counsel.
The Commission V O T E D: to authorize the Real Property Office to proceed with negotiations to accept a gift of approximately 33,800 square feet of land located on Route 12 in the Town of Sterling, owned by Henry J. Szymkiewicz.
The Commission further V O T E D: to the Real Property Office to finalize the acquisition.
Associate Commissioner Jones desired to be recorded as opposed to this action of the Commission.

3. Report of Mrs. Anderson, November 30, submitting for approval Work Schedule Form and Project Justification for Project No. R90-0001-L1A, for Land Surveys - Watershed Land Acquisitions - Wachusett, Ware River and Quabbin Watersheds. Time for Performance - eight months, estimated cost - $136,000.00. Account No. 2000-9882.
The Commission V O T E D: Approved with the stipulation that the request for services be advertised publicly and that the qualifications of all applicants be reviewed by the Director of the Engineering and Construction Division.

4. Report of Mrs. Anderson, November 30, submitting for approval Work Schedule Form and Project Summary Form for Project No. R90-0002-L2A, for Land Appraisals for Watershed Land Acquisition - Wachusett, Ware and Quabbin Watersheds. Time for Performance - eight months, estimated cost - $89,500.00. ($78,000.00 for new appraisals and $11,500.00 for updating 1988 appraisals). Account No. 2000-9882.
The Commission V O T E D: Approved with the stipulation that the request for services be advertised publicly and that the qualifications of all applicants be reviewed by the Commission's Registered Land Appraiser.

5. Report of Mrs. Anderson, November 30, submitting for approval Work Schedule Form and Project Summary Form and requesting permission to advertise Project No. R90-0003-L3A, for Personal Consultant Services Necessary to Complete Land Acquisitions on Commission Watershed Lands. Time for Performance - eight months, estimated cost - $20,000.00. Account No. 2000-9882.
The Commission V O T E D: Approved with the stipulation that the request for services be advertised publicly and that the

qualifications of all applicants be reviewed by the Contract Administrator.

1. Report of Mrs. Anderson, November 30, submitting for approval Work Schedule Form and Project Summary Form for Project No. R90-0004-L4A, for Title Searches for Land Acquisition - Wachusett, Ware and Quabbin Watersheds. Time for Performance - eight months, estimated cost - $12,000.00.
Account No. 2000-9882.
The Commission V O T E D: to approve the item conditionally subject to review of the Project Summary Form and Work Schedule Form by Legal Counsel. The Commission further directed that the request for services be advertised publicly and that the qualifications of all applicants be reviewed by Legal Counsel. Associate Commissioner Scandrett desired to be recorded as opposed to this vote.

Action was taken upon the following matter relating to the Office of Infrastructure and Capital Planning:

2. Informational Presentation by Mr. Stewart on the MDC's Infrastructure needs from 1990 to 2000.
The Commission V O T E D: Held Over.

3. Paul Donahue, President of Massachusetts Organization of Engineers and Scientist (MOSES), was in attendance at the Commission Meeting and commented on several items which were on the Agenda.

The following matters were placed on the agenda for the information of the Commission:

4. The following schedules were approved for payment by the Commissioner during the period from November 6, 1989 to November 13, 1989.

Expenditures	$2,206,908.15
Summer Youth	$ 742.49

5. The following schedules were approved for payment by the Commissioner during the period from November 13, 1989 to November 20, 1989.

Expenditures	$ 224,783.63
Summer Youth	$ 418.67

6. The following schedules were approved for payment by the Commissioner during the period from November 20, 1989 to November 27, 1989.

Expenditures	$ 376,899.69
Summer Youth	$ 364.15

Adjourned at 2:30 p.m. to meet on Thursday, December 14, 1989 at 10:00 a.m.

William I. Cahill
Secretary

Record of the Three Thousand Five Hundred and Eighth (3508th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 14, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on November 16, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated December 14, 1989, with the CEIP Fund, Inc., for Services of Interns to work through the Reservation and Historic Sites Unit.

2. At this point, Mr. VanWart informed the Commission that Don Swann, Supervisor of the Reservations and Historic Sites Division will be leaving the MDC in the near future to pursue employment opportunities in Australia.
Commissioner Bhatti noted that Mr. Swann's work over the past several years has been outstanding and his departure will be a great loss for the Commission.
The Commission then went on record to wish Mr. Swann success in all future endeavors.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Anders on petition of Boston Gas Company for a Grant of Location to place approximately 440' of 8" plastic gas main and related facilities to be used for the distribution of gas in the Fenway, in the City of Boston, Massachusetts, at a one-time fee of $660.00.
ORDERED that, on petition of Boston Gas Company, dated November 28, 1989, for location, shown on Plan of Boston Gas Company dated November 22, 1989, entitled "Proposed Location of 8" Gas Main in Fenway" to place in the City of Boston (Roxbury) namely the Fenway, as follows: a distance of approximately 440 feet, for a eight-inch plastic gas main and related facilities, to be used for the distribution of gas, said location having been found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, December 14, 1989 at 10:00 A.M., in the Marilyn Morrison Commission Meeting Room of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require, said Boston Gas Company is hereby granted a location for said eight-inch plastic main measuring approximately 440 feet, and related facilities, in the Fenway, in the City of Boston (Roxbury), to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-
1. Boston Gas Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. Boston Gas Company shall do the work of installing said eight-inch plastic gas main and related facilities therein, the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.
3. Boston Gas Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be

required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.

4. Boston Gas Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits, for the Commission.
5. Boston Gas Company shall take all possible measures during construction to reduce the impact on the area.
6. Boston Gas Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said eight-inch plastic gas main and related facilities therein, may hereafter become necessary.
7. Boston Gas Company to pay a one-time fee of $660.00 for the 440 feet of underground installation of gas main, to be used for the distribution of gas and to be owned by the petitioner, in the Fenway in the City of Boston (Roxbury), Massachusetts.
8. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits, and subject to conditions imposed by him.

1. Report of Messrs. Faucher and Arinella, November 30, recommending the following on Contract No. P89-1560-C1A, with Barber-Coleman-Marcucci, Inc., for Installation of Moisture Control System at Stone Memorial Zoo.

(a) That work be accepted as completed as of September 2, 1989.
(b) That Estimate No. 2 (Final), in the amount of $6,650.00, be approved for payment.
(c) That reserve, in the amount of $889.00, be approved for payment.

(Basis of Award - $17,780.00)
(Total to Date - $17,780.00)
(Contract Administration Rating - 3.50)
(Total to Date - N/A)

The Commission V O T E D: that the work of Barber-Coleman-Marcucci, Inc., Contractor under Contract No. P89-1560-C1A, for Installation of Moisture Control System at Stone Memorial Zoo, be and hereby is accepted as completed as of September 2, 1989.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $6,650.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $889.00, for payment.

2. Report of Mr. Faucher and Ms. Peterson, December 1, on request of Goudreau Marine Contractors, contractor under Contract No. P82-1051-C2A, for Repair of Craigie Drawbridge, Charles River Dam Road over Charles River, Boston, Massachusetts, to engage the services of Brewster Electric Co., for following Items:

Item 011-010 -	Adjustment of Bascule Span Limit Switches	- $ 4,500.00
Item 011-020 -	Adjustment of Center Lock Limit Switches	- $ 2,250.00
Item 011-030 -	Replacement Parts for Limit Switches	- $ 5,000.00
Item 011-040 -	Materials, Components, Parts & Controls	- $10,000.00
Item 011-050 -	Installation of Electrical Parts	- $ 4,500.00

(Mr. Faucher and Ms. Peterson recommend approval).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Peterson in their report of December 1, 1989.

3. Report of Messrs. Faucher and Lenhardt, December 1, recommending approval of Alterations on Contract No. P75-0838-C2B, with Modern Continental Construction Company, for General Lawrence Bridge and Approaches, Medford Veterans Memorial Parkway, Medford, Massachusetts, as follows:

Alteration No. 3 -
Item No. 185 - Kelsey's Dwarf Dogwood, at a credit of - $1,175.00
Alteration No. 4 -
Item No. 113 - Bridge Structure, at a credit of - $6,000.00
Alteration No. 5 -
Item No. 53 - Furnishing and Laying 20-inch Steel Plate Pipe and Fittings, at a credit of - $1,181.44
Associate Commissioner Whelan questioned if Alteration No. 4, for Bridge Structure inspection services and Alteration No. 5, for material substitution for fabrication of new 20-inch steel plate pipe, would create a safety problem.
Mr. Lespasio assured the Commission that Bridge Structure steel inspection services, under Alteration No. 4, were performed at the manufacturing plant by Massachusetts Department of Public Works. The substitution of lower strength steel, under Alteration No. 5, was requested by Massachusetts Water Resources Authority as it would have been practically impossible to fabricate the pipe originally called for under terms of the Contract.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of December 1, 1989.

1. Report of Messrs. Faucher and Machado, December 6, recommending approval of Extra Work Orders under Contract No. P79-0596-C1A, with John McCourt Co., for Rehabilitation of the Veterans of Foreign Wars Parkway, as follows:

Extra Work Order No. 4	- Furnishing and Installation of Signage	- $116,027.00
Extra Work Order No. 5	- Furnishing and Installation of Pedestrian Actuated Traffic Lights	- $119,657.42

(At no additional obligation as there are unused quantities in other items which will offset the requested increases).
The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of $116,027.00.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $119,657.42.

Action was taken upon the following matter relating to the Office of Real Property:

2. Report of Mrs. Anderson, December 8, requesting authorization for the Real Property Office to proceed with negotiations to accept a gift of approximately 7.551 acres of land located in "Neponset River Reservation/Border Meadows" in Canton, Massachusetts, owned by Rodney W. Brown, Jr. and Joanna P. Brown.
Mrs. Anderson further requests that the Real Property Office be authorized to proceed with negotiations to accept this land as a gift and finalize the acquisition.
The Commission V O T E D: to authorize the Real Property Office to proceed with negotiations to accept a gift of approximately 7.551 acres of land located in "Neponset River Reservation/Border Meadows" in Canton, Massachusetts, owned by Rodney W. Brown, Jr. and Joanna P. Brown.
The Commission further V O T E D: to authorize the Real Property Office be authorized to proceed with negotiations to accept this land as a gift and finalize the acquisition.

3. At this point, on a motion by Associate Commissioner Whelan, the Commission requested that Mr. Rodrigues be in attendance at the Meeting of December 21, 1989 and present a report on the 1989 New England PRO AM Program which was held at the Devine Rink, Dorchester.

4. At this point, Associate Commissioner Whelan noted that he was recently informed that students of parochial and private schools had been charged a fee for admission to the Franklin Park Zoo. He pointed out that when the Commission approved the Fee Schedule for the Franklin Park Zoo and the Walter D. Stone Memorial Zoo on August 10, 1989, approval of the schedule for organized school groups was not acted upon, but was deferred at the request of Dr.

Goldstein, pending completion of a planning study. Associate Commissioner Whelan then noted that this section of the fee schedule has not yet been presented to the Commission for approval.

Commissioner Bhatti stated that when he was informed that organized parochial school groups were being charged for admission to the Franklin Park Zoo, he directed that these fees be returned to the schools.

After a lengthy discussion, the Commission V O T E D: to reaffirm its policy of waiving admission fees for all pre-registered public, private, and parochial school groups within the Commonwealth to certain Commission facilities, on days that schools are in session.

Associate Commissioner Jones requested that Policy concerning admission fees to all MDC facilities be reviewed by Legal Counsel to insure that the admission Policy is fair and equitable for all residents of the Commonwealth.

The following matter was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from November 27, 1989 to December 4, 1989.

Expenditures	$438,086.56
Summer Youth	$ 196.97

Adjourned at 11:45 a.m. to meet on Thursday, December 21, 1989 at 10:00 a.m.

William F. Cushnie
Secretary

Record of the Three Thousand Five Hundred and Ninth (3509th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 21, 1989 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on December 7, 1989 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and O'Connor, December 13, recommending approval of an extension of time from December 16, 1989 to February 13, 1990, on Contract No. P82-1047-C1A, with J. F. White Contracting Co., for Rehabilitation of General Edwards Bridge, Revere/Lynn, Massachusetts, due to the need to fabricate and replace electrical cables which were destroyed by fire.
The Commission V O T E D: to approve an extension of time from December 16, 1989 to February 13, 1990, as recommended by Messrs. Faucher and O'Connor in their report of December 13, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Carrigan, December 4, recommending approval of the following on Contract No. P89-1552-C1A, with Reynolds Brother Co., Inc., for Construction of Parking Lot, Franklin Park Zoo, Boston -

(a) Revision in quantities

Item 008-020 -	Loam Borrow	+ $1,383.08
Item 016-020 -	Catch Basins and Manholes Adjusted to Grade	+ $ 400.00
Item 059-040 -	Cormus Florida (Flowering Dogwood)	+ $1,000.00
Item 059-220 -	Poterhilla Fruticosa Goldfinger (Poterhilla)	+ $ 360.00

(b) Alterations

Item 060-010 -	Lawn Seeding	- $1,500.00
Item 015-020 -	Meter Pits, Meter Associated Piping Frames and Covers	+ $5,954.00
Item 059-200 -	Mountain Laurel	- $1,050.00
Item 053-010 -	Lighting Control Center	+ $ 500.00

(c) Extra Work Order

No. 2 -	Window Modification for Ticket Booth	+ $ 602.23

(At no additional obligation to the Commission as any increases will be offset by unused quantities in other items).
The Commission V O T E D: to approve the revision in quantities on Item 008-020, Item 016-020, Item 059-040, and Item 059-220.
The Commission further V O T E D: to approve Alterations as requested by Messrs. Faucher and Carrigan in their report of December 4, 1989.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $602.23.

3. Report of Messrs. Faucher and Higgott, December 15, recommending approval of an extension of time from December 31, 1989 to June 30, 1990, on Contract No. P78-0667-C1A, with J. F. White Contracting Co., for Rehabilitation of the Amelia Earhart Dam, Navigational Locks and Flood Control Pumping Station in the Cities of Somerville and Everett, Massachusetts, due to the need for additional work on 60" Pratt Culvert Valves.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from December 31, 1989 to June 30, 1990, as recommended by Messrs. Faucher and Higgott in their report of December 15, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Okeke, December 6, recommending the following on Contract No. P90-1572-C1A, with Carl-Louis Co., Inc., for Replacement of One Gas Fired Hot Water Heating Boiler at the Cleveland Circle, Reilly Rink, Brighton, Massachusetts -
(a) That work be accepted as completed as of November 23, 1989.
(b) That Estimate No. 1 (Final), in the amount of $12,600.00, be approved for payment.
(Basis of Award - $12,600.00)
(Total to Date - $12,600.00)
(Contract Administration Rating - 4.33)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Carl-Louis Co., Inc., Contractor under Contract No. P90-1572-C1A, for Replacement of One Gas Fired Hot Water Heating Boiler at the Cleveland Circle, Reilly Rink, Brighton, Massachusetts, be and hereby is accepted as complete as of November 23, 1989.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $12,600.00, for payment.

Action was taken upon the following matter relating to the Watershed Managment Division:

2. Report of Mr. McGinn, December 15, on proposals for the purchase of forest products on Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of Hubbard Lumber, of $2,381.50; to purchase approximately 32,110 board feet of sawlogs and 73 cords of firewood on Timber Sale No. 576 - Quabbin Reservoir Watershed; Hubbard Lumber will also provide five gates which are considered partial payment for this timber.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Lumber, of $1,819.60; to purchase approximately 29,000 board feet of sawlogs on Timber Sale No. 577 - Quabbin Reservoir Watershed, Hubbard Lumber will also provide three gates which are considered partial payment for this timber.
The Commission further V O T E D: to accept the second highest qualified bid, that of Hubbard Lumber, of $17,942.61; to purchase approximately 147,491 board feet of sawlogs, 24 cords of firewood and 70 cords of tops on Timber Sale No. 578 - Quabbin Reservoir Watershed; Hubbard Lumber will also provide the following, which are considered partial payment for this timber: one data collector and accessories; one 718 piece professional mechanics tool set; 3,000 gallons of diesel fuel delivered to MDC New Salem Office; four gates; 35 tons "cold patch" asphalt repair for Commission roads; Four 150 ft. rolls of petroleum absorbent cloth; and crush 4,000 yds. gravel.
The aforementioned were approved with the stipulation that the background information provided by the Division be reviewed by the Contract Administrator and Legal Counsel to insure that all provisions of the law are complied with.
The Commission then directed that all future items of this nature be reviewed by the Contract Administrator and Legal Counsel prior to submittal to Commission for approval.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mrs. Anderson recommending approval and signature of an Amendment to the LEASE with Bayside Associates, Limited Partnership for a parcel of land containing 21,000 square feet, for access to Bayside Exposition Center, South Boston, which allows for an extension of the original LEASE for an additional term of twenty five (25) years at an annual rental in the amount of $18,900.00.
Mrs. Anderson identified the property and presented a brief history of the LEASE as follows:
December 30, 1964 - the Commission executed a LEASE with Family City Development Corporation for a parcel of land containing 21,000 square feet of land for access road purpose. This LEASE was for a term of twenty-five (25) years with an option to extend the LEASE for an additional

term of twenty-five (25) years, to become effective on December 31, 1989.

On March 24, 1966, the LEASE was assigned to John Hancock Mutual Life Insurance Company.

On December 14, 1982, the LEASE was further assigned to Bayside Associates, Limited Partnership.

She then explained that the original LEASE provides for an adjustment of rent in the event the lessee elects to exercise their plan to extend. The adjustment is to be arrived at by estimating the fair market value of the land in the twenty-fourth (24th) year of the original term of the LEASE and setting a return rate of six (6) percent of the appraised value of the land as an annual rental amount.

Mrs. Anderson then noted that Bayside wrote to the Division in 1988, as required under terms of the LEASE, and requested that the LEASE be extended.

She then explained that the Right of Way Office met with Legal Counsel, Director of Planning and Division of Capital Planning Operations (DCPO) concerning renewal.

She then explained that the LEASE was appraised by a staff appraiser in 1988 and a rental amount of $18,900.00 per year was set as the new fair market rent. The appraisal was reviewed by two independent fee appraisers, who supported and concurred with the new rate.

Mrs. Anderson noted that by letter dated December 20, 1989, Bayside Associates, Limited Partnership, accepted the annual rent fee of Eighteen Thousand Nine Hundred Dollars ($18,900.00) under protest and reserving all rights.

Associate Commissioner Scandrett stated that he had serious problems with the LEASE noting that the LEASE as approved in 1964 would not be approved by the Commission in 1989, due to changes in the governing laws.

He then stated that due to the fact that the fee is placed in the State General Fund and not an MDC Account, the LEASE should be handled by the Division of Capital Planning and Operations (DCPO). He then spoke of his concern that there are no provisions for an escalation clause in the new Amendment to the LEASE.

At this point, Associate Commissioner Scandrett made the following motion, "It is assumed that the terms of this LEASE were proper in 1964. In 1989 the terms of this LEASE, if it were in original negotiations, are improper. Therefore, I move that we delete this item from the agenda until such time as all avenues including full discussion of our obligations with DCPO have been explored in order to make any extensions proper in terms of contemporary laws and procedures. Associate Commissioner Jones seconded the motion as presented.

At this point, Mr. Wright stated that he agreed with Associate Commissioner Scandrett that the LEASE in its present form is morally and ethically inappropriate and to commit the use of Parkland for an additional 25 years is outrageous.

He then noted that if this type of LEASE was coming before the Commission for the first time it could not be approved without legislative and DCPO approval.

He then stated however that in his opinion the document before the Commission at this time is binding.

Mr. Wright then noted that the Lessee has notified the Office of Real Property that they have agreed to pay the $18,900.00, but under protest. They have also exercised their option, so therefore the Commission must act accordingly.

The Commission, as a body, spoke of the lack of time afforded to review the document in-depth prior to the Division's request for approval and signature. The Commission then spoke of the need for additional information prior to acting on the Amendment to the LEASE.

At this point, Associate Commissioner Whelan stated that he felt that an escalation clause should be incorporated into the Amendment of the LEASE which will provide for a review of the fee every five years. It was pointed out by staff that under terms of the LEASE that this cannot be accomplished unilaterally.

Associate Commissioner Jones then noted that he would not vote in favor of the Amendment at this time for the following reasons:

(a) He has not seen a copy of the appraisal for his review.

(b) Because of ethical and moral obligations concerning terms of the LEASE.

The Commission V O T E D: to approve the following motion which was presented and read by Associate Commissioner Scandrett and previously seconded by Associate Commissioner Jones.

"It is assumed that the terms of this LEASE were proper in 1964. In 1989 the terms of this LEASE, if it were in original negotiations are improper. Therefore, I move that we delete this from the Agenda until such time as all avenues including full discussion of our obligation with DCPO have been explored in order to make any extension proper in terms of contemporary laws and procedures."

The Commission then V O T E D: to Delete the item from the agenda.

1. At this point, Commissioner Bhatti expressed the Commission's appreciation to Mrs. Anderson and Mr. Manolakis for their efforts on the matter of the LEASE with Bayside Associates.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Rodrigues concerning the 1989 New England PRO AM Program which was held at the Devine Rink in Dorchester.

Following a lengthy discussion concerning provisions of the New England PRO AM contract with the MDC, the Commission V O T E D: to approve the following directives given to Director of Recreational Facilities and Programs Lou Rodrigues.

1. An itemized listing of all hours utilized by New England PRO AM at the Devine Rink for the period from May 1, 1989 through November 9, 1989 will be prepared as follows:
   (a) The Manager of the Devine Rink will prepare and sign the listing from the records maintained at the Devine Rink.
   (b) The MDC District Office Supervisor in charge of ice rental records will also prepare an itemized listing of all hours rented by New England PRO AM. This report will also be signed by the District Supervisor and Assistant Director of Recreation.

   These reports will be gathered and signed by Mr. Rodrigues and he will submit them to the Commission for review as soon as possible.
2. All Boston Edison bills for electricity charges at the Devine Rink for the period from May 1, 1989 through November 9, 1989 will be submitted to the Commission indicating what was paid by New England PRO AM and what was paid by the Commission.
3. New England PRO AM will be reminded that a complete financial report must be filed with the Commission prior to February 7, 1990, in accordance with section IV of the Contract.

   Mr. Rodrigues will have the responsibility to have all these reports prepared and submitted to the Commission promptly.

The following matter was placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from December 4, 1989 to December 11, 1989.

Expenditures	$2,016,571.30
Summer Youth	$ 521.41

Adjourned at 2:05 p.m. to meet on Thursday, January 4, 1990 at 10:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Five Hundred and Tenth (3510th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 4, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on December 14, 1989 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement No. WM90-001-X1A, dated January 4, 1990, with Lycott Environmental Research, Inc., for Laboratory Services.

2. Contract No. P90-1570-M1A, dated January 4, 1990, with Penachio Brothers, for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC - Calendar Years 1990 - 1991.

3. Contracts, dated January 4, 1990, with Robin Lee Clark and Jessica Gill, who have been selected to perform the services of archival interns at a rate of $10.00 per hour. The hiring of two archival interns was included in the First Amendment, dated December 7, 1989, to Contract-Agreement with Evelyn Feld, Archivist/Records Managment Analyst.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Machado, December 20, recommending approval of an extension of time from January 4, 1990 to May 27, 1990, on Contract No. P79-0596-C1A, with John McCourt Company, for Rehabilitation of the Veterans of Foreign Wars Parkway, due to the need for additional work.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time from January 4, 1990 to May 27, 1990, as recommended by Messrs. Faucher and Machado in their report of December 20, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

5. Report of Messrs. Faucher and Lespasio, December 27, requesting approval of an Amendment to Contract No. P82-1047-D1D, with Howard Needles Tammen and Bergendoff, for Reconstruction/ Rehabilitation of the Lynnway/Carroll Parkway and General Edwards Bridge, which extends Time of Performance from July 30, 1990 to December 31, 1990, to insure that the design Contract is co-terminous with the bridge construction contract.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Lespasio in their report of December 27, 1989.

6. Report of Mr. Faucher and Ms. Peterson, December 27, recommending approval of an extension of time from January 21, 1990 to April 30, 1990, on Contract No. P82-1051-C2A, with Goudreau Corporation, Inc., for Repair of Craigie Drawbridge, Charles River Dam Road, over Charles River, Boston, due to the need to complete certain work.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from January 21, 1990 to April 30, 1990, as recommended by Mr. Faucher and Ms. Peterson in their report of December 27, 1989, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

7. Matter of extending permits for Peddocks Island Cottages from January 1, 1990 to March 1, 1990, pending completion of revisions which will be incorporated into renewal permits.
The Commission V O T E D: Approved.

1. At this point, Associate Commissioner Jones spoke of last weeks Commission meeting at which time the matter of approval and signature of an Amendment to a LEASE with Bayside Associates, Limited Partnership, for a parcel of land used for access to the Bayside Exposition Center, South Boston was deleted from the Commission Agenda due to the lack of time afforded the Commission to review the document and also the need for additional information.
Associate Commissioner Jones moved and the motion was seconded that the Commissioner establish an in-house coordinating team under his jurisdiction for review of all matters pertaining to Bayside Associates, Limited Partnership, and the parcel of MDC land which is used for access to Bayside Exposition Center.
The Commission V O T E D approval.
He further moved and the motion was seconded that the Commission endorse a thirty-day Embargo on all formal and informal contacts concerning this matter, thereby offering the Commissioner time to complete in-house review concerning the access.
The Commission further V O T E D approval.
He then moved and the motion was seconded that advice of Legal Counsel be sought prior to any conversations with representatives of either the public or private sector concerning this matter.
The Commission further V O T E D approval.
Commissioner Bhatti then expressed his appreciation to Associate Commissioner Jones for his work on this matter.
He stated that Associate Commissioner Jones recommendations will provide flexibility for appointment of appropriate staff and also develop an in-house plan that will not only aid the MDC but any other State Agency that might become involved in the matter.
Commissioner Bhatti then stated that the thirty-day Embargo will help the Commission arrive at a plan by which the MDC can best serve the public interest.

2. At this point, Associate Commissioner Scandrett noted that he recently had occasion to read a brochure listing current rates for winter activities at the Weston Ski Touring Center (WSTC). He stated that the rates did not appear to be the same rates which were approved the last time the fee schedule came before the Commission. He then asked that the Secretary review Commission files to determine if in fact the WSTC is charging the rates approved by the Commission.
On a motion by Associate Commissioner Scandrett, the Secretary was directed by the Commission to review Commission files to determine if the rates currently charged by WSTC were approved by the Commission.
If the current rates were not approved by the Commission the Secretary was directed to request information from the Division indicating on whose authority the rates were increased.

The following matter was placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from December 11, 1989 to December 18, 1989.

Expenditures	$701,561.50
Summer Youth	$ 400.90

Adjourned at 11:20 a.m. to meet on Thursday, January 11, 1990 at 10:00 a.m.

William F. Cushnie
Secretary

Record of the Three Thousand Five Hundred and Eleventh (3511th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 11, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on December 21, 1989 were read and approved.

Action was taken upon the following matter relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Ms. Peterson, January 4, recommending approval to revise quantities, on Contract No. P82-1051-C2A, with Goudreau Corporation, Inc., for Repair of Craigie Drawbridge, Charles River Dam Road, over Charles River, Boston, on Item No. 002-010 - Structural Steel - at a cost of $14,200.00.
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Peterson in their report of January 4, 1990.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien submitting for signature Agreement with Cambridge Water Board granting the MDC permission to construct Riverwalk Park over two water mains owned by the City of Cambridge and located in Waltham.
Mr. Daniel Driscoll of the Planning Office made a brief slide presentation identifying the area on the north bank of the Charles River, between Moody Street and Prospect Street in Waltham, which will be incorporated into the proposed Riverwalk Park.
At this point, the Commission commended Mr. Driscoll for an outstanding presentation.
The Secretary then submitted for signature Agreement, dated January 11, 1990, with Cambridge Water Board which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Police Division:

3. Report of Deputy Superintendent Kelley, January 8, requesting approval of a Tenancy-at-Will for helicopter hangar space at a facility owned by Jet Aviation/Boston, Inc., at Hanscom Field, Bedford, Massachusetts, for Fiscal Year 1990 - ending June 30, 1990 - Total Cost $12,500.00. Account No. 2440-0015.
Deputy Superintendent Kelley explained that on June 8, 1989, the Commission voted to authorize the Division of Capital Planning and Operations (DCPO) to solicit proposals for a five-year lease for helicopter hangar space. This process has not yet been completed by DCPO.
He then sated that it is essential that the helicopter be appropriately sheltered until such time as DCPO awards a new contract for the service.
The Commission V O T E D: Approved.

The following matters were placed on the agenda for the information of the Commission:

4. The following schedules were approved for payment by the Commissioner during the period from December 18, 1989 to December 25, 1989.

Expenditures	$250,871.15
Summer Youth	$ 327.13

5. The following schedules were approved for payment by the Commissioner during the period from December 25, 1989 to January 1, 1990.

Expenditures	$453,910.38
Summer Youth	$ 166.43

Adjourned at 12:20 p.m. to meet on Thursday, January 18, 1990 at 10:00 a.m.

William J. Cusack
Secretary

Record of the Three Thousand Five Hundred and Twelfth (3512th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 18, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on January 4, 1990 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Carrigan, January 4, submitting for approval Work Schedule, Project Summary, Project Justification, and requesting permission to advertise Project No. P84-1315-C6A, Resurfacing of MDC Parkways at Various Locations in the Greater Metropolitan Area. (This project must also receive approval of the Executive Office of Environmental Affairs). Estimated Cost $1,400,000.00 to be undertaken during the 1990 construction season. Account No. 2490-8881.
Ms. Marjorie Jeffries, a member of the Friends of the Blue Hills, requested and was granted permission to address the Commission concerning Project No. P83-1315-C6A, Resurfacing of MDC Parkways at Various Locations in the Greater Metropolitan Area and Project No. P87-1425-C3A, Repairing/Replacing Bituminous and Cement Concrete Sidewalks throughout the Metropolitan District.
She noted that Chickatawbut Road, in the area of the reservoir, is in very bad shape and in need of resurfacing. She then pointed out that many bicyclists and joggers must use the road in the area of the reservoir, due to the lack of a paved walk.
Ms. Jeffries suggested that the Commission include the installation of a walkway in the upcoming sidewalk project.
Mr. Lespasio explained that the section of Chickatawbut Road in the area of the reservoir will be resurfaced under the roadway contract. However, due to lack of funding, only those sidewalks which are creating a safety problem will be included in the sidewalk project.
Ms. Jeffries then suggested that the Commission not resurface Chickatawbut Road and close it to traffic this coming May. She stated that this roadway is used primarily by commuters avoiding traffic on Route 128. This road, she noted, was originally constructed for access to the reservation and not as a commuter route.
Associate Commissioner Jones stated that by closing this roadway we would be just moving the problem from the reservation to other roadways in the area. He then asked that Ms. Jeffries comments be forwarded to appropriate Commission staff for review.
Ms. Jeffries then spoke of a problem with winter salt application practices on Commission property in the reservation.
Commissioner Bhatti also expressed his concern and stated that he will review this matter.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Lespasio, January 10, submitting for approval revised Work Schedule, Project Summary, Project Justification, and requesting permission to advertise Project No. P87-1425-C3A, Repairing/Replacing Bituminous and Cement Concrete Sidewalks throughout the Metropolitan District.
(This project must also receive approval of the Executive Office of Environmental Affairs). Estimated Cost $450,000.00 to be undertaken during the 1990 construction season. Account No. 2490-8881.
(This project was previously approved by the Commission in the amount of $1,000,000.00, but due to budgetary constraints it was deferred).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and McCalla, January 8, submitting for approval Work Schedule, Project Summary, Project Justification, and requesting permission to advertise Project No. P90-1579-M1A, Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan District - FY91 and FY92. Estimated

Cost - FY91 - $100,000.00 and FY92 - $100,000.00.
Account No. 2440-0010-12.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and McCalla, January 8, submitting for approval Work Schedule, Project Summary, Project Justification, and requesting permission to advertise Project No. P90-1580-M1A, Electronic and Sound Systems Maintenance and Repair Work at Various Sports Facilities and Recreational Areas of the Metropolitan Parks District - FY91 and FY92. Estimated Cost FY91 - $100,000.00 and FY92 - $100,000.00.
Account No. 2440-0010-12.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Soroka, January 11, on bids for Servicing Traffic Signal and Control Systems, Charles River Basin Districts, Contract No. P90-1569-M1A.
Account No. 2444-9001-12.
(Messrs. Faucher and Soroka recommend acceptance of the lowest bid, that of Tri-State Signal, Inc., of $462,312.50).
The Commission V O T E D: to accept the lowest bid, that of Tri-State Signal, Inc., of $462,312.50.

3. Report of Messrs. Faucher and Mayhew, January 8, recommending approval to increase quantities, at a total additional cost of $15,396.00, on Contract No. P80-0793-C4A, with John Mahoney Construction Co., Inc., for Maritime Work, South Boston - Phase II, as follows:
Item No. 48 - Replace Rails - Castle Island - $4,428.00
Item No. 53 - Treated Timber Repair-Spillway - $1,092.00
Item No. 57 - Loafer Rails - Castle Island - $6,336.00
Item No. 58 - Paint Railing - Castle Island - $3,540.00.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Mayhew in their report of January 8, 1990.

4. Report of Messrs. Faucher and DeLuca, January 11, recommending approval of an extension of time from December 10, 1989 to April 10, 1990, on Contract No. P89-1551-M1A, with Allied Weatherproofing Co., for Servicing Filtration and Sterilization Systems for Swimming Pools, due to the need for additional work on the Contract.
The Commission V O T E D: to approve an extension of time, from December 10, 1989 to April 10, 1990, as recommended by Messrs. Faucher and DeLuca in their report of January 11, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Office of Real Property:

5. Report of Mrs. Anderson, January 12, requesting that the Commission approve the acquisition of 2.22± acres in Waltham, to be utilized for the construction of Riverwalk Park, from the Massachusetts Bay Transportation Authority (MBTA) for $61,368.00 and that the Real Property Office be authorized to convey the offer to the MBTA.
The Commission V O T E D: Held Over.
Associate Commissioner Jones requested that this item be reviewed by Legal Counsel prior to submittal to Commission for approval.

The following matter was placed on the agenda for the information of the Commission:

6. The following schedules were approved for payment by the Commissioner during the period from January 1, 1990 to January 8, 1990.

Expenditures	$132,730.67
Summer Youth	$ 83.22

Adjourned at 11:50 a.m. to meet on Thursday, January 25, 1990 at 10:00 a.m.

William F. Cushnie
Secretary

Record of the Three Thousand Five Hundred and Thirteenth (3513th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 25, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on January 11, 1990 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P90-1569-M1A, dated January 25, 1990, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Soroka, January 8, recommending the following on Contract No. P88-1513-C1A, with Tri-State Signal, Inc., for Construction and Reconstruction of Traffic Signals at Intersection of Perkins Street, Parkman Drive and Chestnut Street, Jamaica Plain -
(a) That work be accepted as completed as of August 15, 1989.
(b) That Estimate No. 3 (Final), in the amount of $32,514.76, be approved for payment.
(c) That reserve, in the amount of $5,838.70, be approved for payment.
(Basis of Award - $139,831,00)
(Total to Date - $116,774.06)
(Contract Administration Rating - 3.00)
(EEO Compliance - 3.60)
Associate Commissioner Jones suggested that the Office of Community Affairs notify the Community and local Legislators that the project has been completed.
Associate Commissioner Scandrett noted that the project was completed at a cost of $23,000.00 under the Contractor's bid for the work.
The Commission V O T E D: that the work of Tri-State Signal, Inc., Contractor under Contract No. P88-1513-C1A, for Construction and Reconstruction of Traffic Signals at Intersection of Perkins Street, Parkman Drive and Chestnut Street, Jamaica Plain, be and hereby is accepted as completed as of August 15, 1989.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $32,514.76 for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,838.70, for payment.

3. Report of Messrs. Faucher and Lenhardt, December 12, recommending the following on Contract No. P75-0838-C2B, with Modern Continental Construction Co., Inc., for Replacement of General Lawrence Bridge and Approaches -
(a) That work be accepted as completed as of July 1, 1989.
(b) That Estimate No. 35 (Final), in the amount of $298.56, be approved for payment.
(c) That reserve, in the amount of $80,395.39, be approved for payment.
(Basis of Award - $9,517,889.00)
(Total to Date - $9,266,680.41)
(Contract Administration Rating - 4.50)
(EEO Compliance - 3.80)
Associate Commissioner Scandrett pointed out that this contract was completed at a savings to the Commission of $288,000.00 from the original bid.
Associate Commissioner Jones spoke of the percentages of minority participation in the various trades on the Contract. He noted that the overall minority trade participation was 25% in a 5% labor market area.
He suggested that Mr. Brown, Director of the Equal

Opportunity/Affirmative Action Office, contact the Governor's Office of EEO/AA and bring this matter of the percentages to the Directors attention. He then pointed out the fine EEO/AA performance of the Contractor reflects the efforts extended by MDC personnel over the past several years.
Commissioner Bhatti suggested that Ms. Brady of Community Affairs and Deputy Commissioner Baratta meet to determine if it would be advisable to issue a press release, or conduct a public event, which would include local officials, and at that time present an update on the savings accomplished by the Commission on several recently completed contracts.
At this point, Associate Commissioner Scandrett noted that the three contracts which were finalized today were all completed below the bid price.
The Commission V O T E D: that the work of Modern Continental Construction Co., Inc., Contractor under Contract No. P75-0838-C2B, for Replacement of General Lawrence Bridge and Approaches, be and hereby is accepted as of July 1, 1989.
The Commission further V O T E D: to approve Estimate No. 35 (Final), in the amount of $298.56, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $80,395.39, for payment.

1. Report of Messrs. Faucher and Carrigan, January 12, recommending the following on Contract No. P84-1315-C5A, with Trimount Bituminous Products Co., Inc., for Resurfacing MDC Parkways, Various Locations -
(a) That work be accepted as completed, as of November 30, 1989.
(b) That Estimate No. 11 (Final), in the amount of $2,677.00, be approved for payment.
(c) That reserve, in the amount of $23,394.41, be approved for payment.
(Basis of Award - $2,479,210.00)
(Total to Date - $2,467,887.80)
(Contract Administration Rating - 3.86)
(EEO Compliance - 4.40)
The Commission V O T E D: that the work of Trimount Bituminous Products Co., Inc., Contractor under Contract No. P84-1315-C5A, for Resurfacing MDC Parkways, Various Locations, be and hereby is accepted as completed as of November 30, 1989.
The Commission further V O T E D: to approve Estimate No. 11 (Final), in the amount of $2,677.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $23,394.41, for payment.

2. Report of Messrs. Faucher and Lenhardt, January 18, submitting for approval Work Schedule, Project Summary, Project Justification, and requesting permission to advertise Project No. P84-1276-C7A, Repairs to the Monsignor William J. Casey Overpass, Boston. (This project must also receive approval of the Executive Office of Environmental Affairs. Estimated Cost $5,000,000.00). Account No. 2490-8881.
(The approval of this project is subject to necessary funding by the Commission's Office of Finance).
The Commission V O T E D: Approved.

3. At the request of Associate Commissioner Jones, Mr. Lenhardt, MDC Bridge Engineer appeared before the Commission and updated the Board on the status of the Harvard Bridge reconstruction project which is being supervised by the State Department of Public Works (DPW).
Mr. Lenhardt explained that work on the project has stopped due to a problem with cracks appearing in the structure's new deck. Associate Commissioner Jones noting that although the project is being supervised by DPW, the Commission might receive inquiries concerning the status of the project. On a motion of Associate Commissioner Jones which was seconded and approved, the Commission directed that Mr. Lenhardt and appropriate staff meet with their counterparts at DPW and obtain all necessary information concerning the project so that a factual response may be prepared should inquiries be received concerning the status of the project. Once the response has been prepared, it should be

updated frequently so that the public may be kept up to date on the project.
At this point, a question arose concerning the matter of clarification of the care and control of the bridge during reconstruction.
On a motion of Associate Commissioner Jones which was seconded and approved, Messrs. Jewett and Wright were directed to confer with appropriate staff of DPW so that Commission staff can accurately describe our relationship concerning care, custody and control of the bridge during the reconstruction project.

Action was taken upon the following Various Matter:

1. Report of Mr. Wright, January 18, recommending that the Commission amend its Contract with Barnes and Jarnis for providing engineering services to the Attorney General for the Metropolitan District Commission, which was executed on March 31, 1988, by extending time of performance from June 30, 1990 to June 30, 1991 and to increase the total compensation from $19,500.00 to $39,000.00.
(The additional funding will be obtained from funds set aside for a similar Contract with Stone and Webster Civil and Transportation Services, Inc., dated March 31, 1988 which was never implemented).
Account No. 2490-0012.
The Commission V O T E D: Approved as requested by Mr. Wright in his report of January 18, 1990.

Action was taken upon the following matter relating to the Office of Real Property:

2. Report of Mrs. Anderson, January 12, requesting that the Commission approve the acquisition of 2.22± acres in Waltham, to be utilized for the construction of Riverwalk Park, from the Massachusetts Bay Transportation Authority (MBTA) for $61,368.00 and that the Real Property Office be authorized to convey the offer to the MBTA.
Also, further report of Mrs. Anderson, January 23, requesting that the Commission approve the acquisition of 96,633 square foot parcel of land in Waltham, to be utilized for construction of Riverwalk Park, from the Massachusetts Bay Transportation (MBTA) for $48,400.00 plus $12,968.00 for reimbursement of appraisal and survey costs to the MBTA and that the Real Property Office be authorized to convey the offer to the MBTA.
Mrs Anderson identified the property and noted that it was included in the critical acquisition list approved by the Commission in March, 1989.
Associate Commissioner Scandrett questioned the expenditure of $10,881.00 for surveying such a small parcel of open land.
Mr. Baratta noted that the bench mark needed for surveying purposes was located a great distance from the parcel of land and this was the primary reason for the expenditure.
Associate Commissioner Jones questioned why the Acquisition Request, as submitted to Division of Capital Planning and Operations, placed a value of $40,000.00 on the property rather than the current appraisal of $48,400.00. Mrs. Anderson explained that the form was filled out in April 1989, and the dollar figure used at that time was an estimate.
Associate Commissioner Jones noting that Secretary of Environmental Affairs John DeVillars had signed the Acquisition Request asked that Mrs. Anderson notify the Secretary of the increase in the cost of the property.
Associate Commissioner Jones then requested that all back-up material be reviewed by Legal Counsel prior to conveying the offer to the MBTA.
The Commission V O T E D: to approve the acquisition of 96,633 square foot parcel of land in Waltham, to be utilized for construction of Riverwalk Park, from the Massachusetts Bay Transportation (MBTA) for $48,400.00 plus $12,968.00 for reimbursement of appraisal and survey costs to the MBTA.
The Commission further V O T E D: to authorize the Office of Real Property to convey the offer to the Massachusetts Bay Transportation Authority, with the stipulation that all back-up

material be reviewed by Legal Counsel prior to conveying the offer to the MBTA.

1. At this point, Mrs. O'Brien updated the Commission on the status of the Old Harbor Reservation Extension and the Bayside Mall access road.
She explained that she met on January 16, 1990 with representatives of Bayside Mall concerning the Commission's interest in extending the waterfront park system from the Mother's Rest area of Carson Beach to the soon-to-be constructed Harborpoint Park.
Mrs. O'Brien stated that the representatives expressed some concern over a potential loss of parking spaces and staging area as outlined in the plan. The representatives noted that they would be meeting with partners soon and would discuss the proposal at that time.
Mrs. O'Brien then reviewed with the Commission a schematic plan for the waterfront park system from Mother's Rest to Harborpoint Park.
Following a lengthy question and answer period, Associate Commissioner Jones moved that Mrs. O'Brien's report be accepted and that staff move forward so that when it appears that the acquisition is ready staff will be prepared.
The motion was seconded and approved.
Associate Commissioner Jones further moved that the Embargo placed on the Bayside Mall access road matter, at the Commission meeting of January 4, 1990, be allowed to expire.
The motion was seconded and approved.
However, the in-house coordinating team established as a result of the Commission meeting of January 4, 1990 should continue to review all matters pertaining to Bayside Associates, the access road, and the waterfront park, with direction to be given by the Commissioner.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from January 8, 1990 to January 15, 1990.

Expenditures	$2,417,396.04
Summer Youth	$ 305.28

Adjourned at 12:05 p.m. to meet on Thursday, February 1, 1990 at 10:00 a.m.

William F. Cushel
Secretary

Record of the Three Thousand Five Hundred and Fourteenth (3514th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 1, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley and Scandrett.

The Records of the Meeting held on January 25, 1990 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Young, January 3, recommending the following on Contract No. P88-1496-M1A, with Penachio Brothers Electrical Corporation, for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC -
(a) That work be accepted as completed as of December 31, 1989.
(b) That Estimate No. 17 (Final), in the amount of $22,312.28, be approved for payment.
(c) That reserve, in the amount of $22,921.53, be approved for payment.
(Basis of Award - $899,693.95)
(Total to Date - $458,430.58)
(Contract Administration Rating - 4.86)
(EEO Compliance - 4.00)
Mr. Lespasio explained that the contract award of $899,693.95 was reduced three times to a final obligation of $458,430.58 prior to completion due to budgetary constraints.
As a result of the lower funding level, scheduled maintenance of street lighting systems, was severely curtailed, he stated.
The Commission V O T E D: that the work of Penachio Brothers Electrical Corporation, Contractor under Contract No.P88-1496-M1A, for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC, be and hereby is accepted as completed as of December 31, 1989.
The Commission further V O T E D: to approve Estimate No. 17 (Final), in the amount of $22,312.28, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $22,921.53, for payment.

2. Report of Messrs. Faucher and O'Connor, January 23, recommending approval of the following on Contract No. P82-1047-C1A, with J. F. White Contracting Company, for Rehabilitation of the General Edwards Bridge -
(a) Revision in Quantities
Item No. 25 - Pavement Markings Removal - $2,004.78
Item No. 88 - Engineers Field Office - $8,000.00
(b) Extra Work Claims
EWC No. 9 - Removal of Expansion Dams - $5,116.01
EWC No. 10 - Replacement of Bridge Median Guardrail - $7,024.17
(At no additional obligation to the Commission as increases will be offset by unused quantities in other items).
The Commission V O T E D: to approve the Revision in Quantities as recommended by Messrs. Faucher and O'Connor in their report of January 23, 1990.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 9, in the amount of $5,116.01 and Extra Work Claim No. 10, in the amount of $7,024.17.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Mr. McGinn, January 25, on proposals for the purchase of forest products located on Quabbin and Wachusett Reservoir Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Swanson Lumber, of $1,938.00; to purchase approximately 36,030 board feet of sawlogs and 10 cords of firewood on Timber Sale No. 579 - Quabbin Reservoir Watershed; Swanson Lumber will

also provide one Ransomes truck loader valued at $3,335.00 and one transport trailer valued at $499.00, which are considered partial payment for the sawlogs and cordwood.
The Commission further V O T E D: to accept the highest qualified bid, that of Lyons Logging and Landclearing, of $6,238.00; to purchase approximately 41,490 board feet of sawlogs on Timber Sale No. Salvage O - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Forest Products, of $1,422.19; to purchase approximately 28,015 board feet of sawlogs on Timber Sale No. Salvage No. P - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Lyons Logging and Landclearing, of $9,412.00; to purchase approximately 55,975 board feet of sawlogs and 73 cords of firewood on Timber Sale No. Salvage Q - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Forest Products, of $5,086.95; to purchase approximately 38,560 board feet of sawlogs on Roadside Sale #1 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Lyons Logging and Landclearing, of $4,500.00; to purchase approximately 150 cords of fuelwood on Roadside Sale #2 - Wachusett Reservoir Watershed.

1. Report of Mr. McGinn, January 25, on proposals for the tapping of Sugar Maple trees located on Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the only bid received, that of Donald Reutlinger, of $192.00; allowing 471 taps of 277 sugar maple trees on Sugar Maple Lot #23 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Donald Reutlinger, of $132.00; allowing 323 taps of 205 sugar maple trees on Sugar Maple Lot #24 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, Jr., of $165.00; allowing 557 taps of 287 sugar maple trees on Sugar Maple Lot #25 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Donald Reutlinger, of $165.00; allowing 404 taps of 171 sugar maple trees on Sugar Maple Lot #26 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, Jr., of $160.00; allowing 491 taps of 202 sugar maple trees on Sugar Maple Lot #27 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Shattuck's Sugar House, of $180.00; allowing 716 taps of 403 sugar maple trees on Sugar Maple Lot #28 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Donald Carlson, of $132.20; allowing 661 taps of 317 sugar maple trees on Sugar Maple Lot #29 - Quabbin Reservoir Watershed.

2. Report of Messrs. McGinn and Kane, January 17, requesting that the Commission rescind its prior award or approval of the following Contracts -

1. Contract No. WM-87-010-M1A - Repointing at Spillways - October 20, 1988, the Commission voted to accept the low bid that of B & E Construction Corporation, of $149,000.00. Account No. 2420-7880.
2. Contract No. WM89-001-C1A - Quabbin Administration Building Roof - February 16, 1989, the Commission voted to accept the low bid, that of D & S Roofing and Sheetmetal, of $25,000.00. Account No. 2420-7882.
3. Contract No.. WM88-052-C1A - Fabrication and Installation of Closure Gates - April 7, 1988, the Commission voted to approve the project at an estimated cost of $200,000.00. Account No. 2420-7882.
4. Contract No. WM89-016-C1A - Potable Drilled Wells - September 7, 1988, the Commission voted to approve the project at an estimated cost of $22,650.00.

Account No. 2420-7882.

5. Contract No. WM88-051-C1A - Removal and Disposal of Underground Fuel Tanks - April 7, 1988, the Commission voted to approve the project at an estimated cost of $25,000.00. Account No. 2420-7882.

The Commission V O T E D: to rescind its Vote of October 20, 1988, awarding Contract No. WM-87-010-M1A - Repointing at Spillways - to B & E Construction Corporation for $149,000.00.
The Commission further V O T E D: to rescind its Vote of February 16, 1989, awarding Contract No. WM89-001-C1A - Quabbin Administration Building Roof - to D & S Roofing and Sheetmetal for $25,000.00.
The Commission further V O T E D: to rescind its Vote of April 7, 1988, approving Contract No. WM88-052-C1A - Fabrication and Installation of Closure Gates - at an estimated cost of $200,000.00.
The Commission further V O T E D: to rescind its Vote of September 7, 1988, approving Contract No. WM89-016-C1A - Potable Drilled Wells - at an estimated cost of $22,650.00.
The Commission further V O T E D: to rescind its Vote of April 7, 1988, approving Contract No. WM 88-051-C1A - Removal and Disposal of Underground Fuel Tanks - at an estimated cost of $25,000.00.

Action was taken upon the following matters relating to the Office of Contract Administration:

1. Report of Mr. Jewett, January 24, requesting on behalf of the Consultant Selection Committee, that the Commission award Contract No. WM89-014-S1A for Developing an Emergency Action Plan for the Wachusett Dam, Clinton, Massachusetts to GEI Consultants, Inc. The fee has been established on a cost plus fee basis not to exceed $200,000.00. Time for Performance estimated at nine months. Account No. 2420-8881.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of January 24, 1990.

2. Report of Mr. Jewett, January 29, requesting that the Commission award Contract No. R90-0003-L3A, for services as a Right of Way Agent, Office of Real Property, to Thomas J. Gray. Compensation not to exceed $20,000.00. Time for Performance will be eight months from Notice to Proceed. Account No. 2000-9882.
In response to a question by Associate Commissioner Jones, Mr. Jewett explained that although Mr. Gray is an Attorney, his function under this Contract-Agreement will be limited strictly to Right of Way Agent work.
Associate Commissioner Jones noting that Mr. Gray was interviewed and hired as a Right of Way Agent and not an attorney requested that language be incorporated into the Contract-Agreement restricting Mr. Gray from signing any documents as an Attorney or offering any legal opinions concerning Real Property matters.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of January 29, 1990.

Action was taken upon the following matter relating to the MetroParks Zoos:

3. Report of Dr. Goldstein, January 23, requesting approval of an open order for Veterinary Services, in the amount of $7,000.00, for Franklin Park Zoo and Walter D. Stone Memorial Zoo. Time for Performance Fiscal Year 1990. Account No. 2443-2000.
The Commission V O T E D: Approved.

The following matter was placed on the agenda for the information of the Commission:

4. The following schedules were approved for payment by the Commissioner during the period from January 15, 1990 to January 22, 1990.

Expenditures	$1,025,842.61
Summer Youth	$ 350.03

Adjourned at 12:30 a.m. to meet on Thursday, February 8, 1990 at 10:00 a.m.

William F. Cronk
Secretary

Record of the Three Thousand Five Hundred and Fifteenth (3515th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 8, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, and Scandrett.

The Records of the Meeting held on January 25, 1990 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Ms. Pomorska, December 22, 1989, recommending the following on Contract No. P87-1472-C1A, with Tri-State Signal, Inc., for Installation of Mid-Block Pedestrian Signal at Peabody Circle in the vicinity of the Columbia Road entrance, in Franklin Park Zoo, Boston -
   (a) That work be accepted as completed as of October 11, 1989.
   (b) That Estimate No. 4 (Final), in the amount of $4,603.32, be approved for payment.
   (c) That reserve, in the amount of $2,394.43, be approved for payment.
   (Basis of Award - $57,000.00)
   (Total to Date - $47,888.50)
   (Contract Administration Rating - 2.70)
   (EEO Compliance - 2.20)

   The Commission V O T E D: that the work of Tri-State Signal, Inc., Contractor under Contract No. P87-1472-C1A, for Installation of Mid-Block Pedestrian Signal at Peabody Circle in the vicinity of the Columbia Road entrance, in Franklin Park Zoo, Boston, be and hereby is accepted as completed as of October 11, 1989.
   The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $4,603.32, for payment.
   The Commission further V O T E D: to approve release of reserve, in the amount of $2,394.43, for payment.

2. Report of Messrs. Faucher and Okeke, January 23, recommending approval of the following on Contract No. P90-1571-M1A, Balfour Engineering Company, for Franklin Park Zoo, Goder Incinerator Repair -
   (a) Ratification of the action taken by the Division in granting Extra Work Order No. 1, for reinforcing the existing shell casing of the incinerator, at a cost of $3,249.54.
   (b) An extension of time from January 2, 1990 to February 23, 1990, due to delays in obtaining replacement parts for the incinerator and inclement weather.

   The Commission V O T E D: to ratify and approve the action taken by the Division in granting Extra Work Order No. 1, for reinforcing the existing shell casing of the incinerator, at a cost of $3,249.54.
   The Commission further V O T E D: to approve an extension of time, from January 2, 1990 to February 23, 1990, as recommended by Messrs. Faucher and Okeke in their report of January 23, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Lespasio, January 23, recommending approval of the following on Contract No. P82-1047-C2A, with J. Mahoney Construction Company, for Rehabilitation of Lynnway/Carroll Parkway -
   (a) **Revision in Quantities**

Item No. 22	- Manhole	- $ 1,150.00
Item No. 24	- Catch Basin	- $10,000.00
Item No. 32	- Sanitary Sewer Manhole	- $ 1,100.00
Item No. 47	- 6" Ductile Iron Pipe	- $ 2,335.20
Item No. 64	- Granite Corner Blocks (B)	- $ 2,000.00
Item No. 70	- Granite Curb Inlet	- $ 900.00

Item No. 72	- Granite Transition Curb	- $ 660.00
Item No. 127	- Cement Concrete	- $18,644.00
Item No. 129	- Lightweight Concrete	- $ 3,120.00
Item No. 132	- Reinforcing Steel (coated)	- $23,227.23
Item No. 161	- Street Name Sign	- $ 80.00
Item No. 166	- 3" Electrical Conduit	- $ 6,367.50
Item No. 170	- Pull Box 8" X 23"	- $ 1,750.00
Item No. 171	- Light Std Foundation	- $ 800.00

(b) **Alteration No. 3**

Item No. 160 - Temporary Traffic Signals - $27,293.00

(At no additional obligation to the Commission as increases will be offset by unused quantities in other items).

The Commission V O T E D: to approve the revisions in quantities as recommended by Messrs. Faucher and Lespasio in their report of January 23, 1990.

The Commission further V O T E D: to approve Alteration No. 3, in the amount of a $27,293.00 credit to the Commission.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, January 31, submitting for approval revised Work Schedule Form and Project Summary/Justification and requesting permission to readvertise Project No. WM89-001-C1A, Quabbin Administration Building Roof. Estimated Cost $25,000.00 - Account No. 2420-7882.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to readvertise once approval is received from the Executive Office of Environmental Affairs.

2. Report of Messrs. McGinn and Kane, January 31, submitting for approval revised Work Schedule Form and Project Summary/Justification and requesting permission to readvertise Project No. WM87-010-M1A, Repointing at Spillway - Winsor Dam - Quabbin. Estimated Cost $163,900.00 - Account No. 2420-7880.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to readvertise once approval is received from the Executive Office of Environmental Affairs.

3. Report of Messrs. McGinn and Kane, January 31, submitting for approval revised Work Schedule Form and Project Summary/Justification and requesting permission to readvertise Project No. WM88-052-C1A, Fabrication and Installation of Closure Gates. Estimated Cost $200,000.00 - Account No. 2420-7882.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to readvertise once approval is received from the Executive Office of Environmental Affairs.

Action was taken upon the following Various Matter:

4. Report of Mrs. O'Brien, February 5, submitting for Commission review and approval Mission Statement of the MDC as prepared by the Policy Committee.
The Commission V O T E D: Delete from Agenda.

Adjourned at 11:40 a.m. to meet on Thursday, February 15, 1990 at 10:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Five Hundred and Sixteenth (3516th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 15, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, and Scandrett.

The Records of the Meeting held on February 1, 1990 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement No. R90-0003-L3A, dated February 15, 1990, with Thomas J. Gray, for services as a Right of Way Agent, Office of Real Property.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Abounaja, January 8, recommending approval and execution of an Agreement with the Boston Water and Sewer Commission (BWSC) for the Construction of the BWSC Drainage Out-Fall, at Old Harbor Park, Columbia Point, Dorchester.
The Commission V O T E D: Approved.
The Secretary submitted for signature Agreement, dated February 15, 1990, with the Boston Water and Sewer Commission, which was signed by the Commissioner and three Associate Commissioners.

3. Report of Messrs. Faucher and Lenhardt, January 22, submitting for approval Work Schedule and Project Summary/Justification and requesting permission to advertise Project No. P84-1276-C2A, Repairs to the Neponset River Bridge, Boston. Estimated Cost $2,100,000.00 - Account No. 2490-8881 - FY90 - $600,000.00 - FY91 - $1,500,000.00.
(This project must also receive approval of the Executive Office of Environmental Affairs and approval of funding by the Commission's Office of Finance).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

4. Report of Messrs. Faucher and Lenhardt, January 23, submitting for approval Work Schedule and Project Summary/Justification and requesting permission to advertise Project No. P84-1276-C3A, Bridge Deck Replacement to the General E. Leroy Sweetser Bridges, Everett. Estimated Cost $1,300,000.00 - Account No. 2490-8881 - FY90 - $250,000.00 - FY91 - $1,050,000.00.
(This project must also receive approval of the Executive Office of Environmental Affairs and approval of funding by the Commission's Office of Finance).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

5. Report of Messrs. Faucher and Giella, January 30, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P88-1549-C1A, Landscape Improvements for River Street Park, Wellesley.
Estimated Cost - $150,000.00 - Account No. 2449-7350.
(This project must also receive approval of the Executive Office of Environmental Affairs).
In response to a question by the Commission, Mr. Baratta explained that Spaulding Investment Company, an abutter, paid for the park design and upon completion will be responsible for park maintenance.
Associate Commissioner Jones asked if the plans for the park have been reviewed and approved by the Planning Office. Mr. Baratta responded in the affirmative.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once

approval is received from the Executive Office of Environmental Affairs.

1. Report of Messrs. Faucher and Brooks, February 8, requesting approval to increase quantities on Item No. 025-010, Material and Parts, at an increase in cost of $40,000.00, on Contract No. P88-1523-M1A, with Lewis Refrigeration Corp., for Servicing of Refrigeration Systems, Ice Skating Rinks, due to the need for unanticipated repairs to refrigeration systems.
(No additional funding required as the increase will be offset by unused quantities in other items).
Associate Commissioner Scandrett noting that $2,291.00 of the $40,000.00 increase in the cost on this contract was for overhauling the compressor and replacing the glycol pump seal at the Devine Rink, questioned if these repairs were necessary as a result of New England Pro Am Hockey League (NEPAHL) using the rink for its program last year.
Mr. Brooks stated that the Resident Engineer on this contract stated that he felt that regardless if NEPAHL was using the rink or not the repairs would have been necessary, but NEPAHL use of the facility probably accelerated the need for repairs.
On questioning by the Commission, Mr. Wright stated that NEPAHL operation of the Devine Rink is under review by the MDC. He noted that under the terms of their Agreement with the MDC, NEPAHL was to engage the services of Lewis Refrigeration to perform opening and closing maintenance to the refrigeration equipment. He then stated that we should investigate the matter to find out if the work at the rink should have been performed under terms of the Agreement with NEPAHL.
He then suggested that the Commission approve the entire $40,000.00 payment subject to further review by Mr. Brooks, the Contract Administrator, and General Counsel to ensure that the work was not to be performed under terms of the NEPAHL Agreement.
The Commission V O T E D: to approve the $40,000.00 payment contingent upon review and approval by Mr. Brooks, Mr. Jewett and Legal Counsel to ensure that NEPAHL is not responsible for the $2,291.00 payment.
If it is found that the payment for this work is the responsibility of NEPAHL, NEPAHL should be billed for the $2,291.00.

2. Report of Messrs. Faucher and Abounaja, January 10, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P87-1475-C1A, Handicap Access for MDC Headquarters. Estimated Cost $60,000.00 - Account No. 2440-9881.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

3. Report of Messrs. Faucher and Abounaja, January 19, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise, Project No. P89-1556-C1A, Old Harbor Park, Dorchester Shore Reservation. Estimated Cost $6,409,051.50 - Account No. 2440-8885.
(This project must also receive approval of the Executive Office of Environmental Affairs).
Messrs. Paul Donahue of the Massachusetts Organization of Scientists and Engineers and David Holway of the National Association of Government Employees spoke in opposition to spending money for the construction of a multi-million dollar park. They both stated that the money could be better used to offset fiscal problems currently affecting State government.
Commissioner Bhatti stated that in order to get the State back on track economically it is essential that construction projects of this type be moved forward whenever possible.
Associate Commissioner O'Malley noting that there is a lack of work in the construction industry in the Metropolitan area stated that competition for this contract will be great and could result in very low bids for the project. She then stated that if the

project is delayed its cost could increase dramatically.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

1. Report of Messrs. Faucher and Mayhew, January 12, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P87-1456-C1A, Installation of Safety Fencing on Fort Warren, Georges Island, Boston Harbor, Massachusetts. Estimated Cost $300,000.00 - Account No. 2440-8889.
(This project must also receive approval of the Executive Office of Environmental Affairs).
Associate Commissioner Jones noting that over 150,000 people, including thousands of youngsters, visit Georges Island annually asked that the Division rewrite the Project Justification to make a stronger case for the approval of installation of the safety fencing on the ramparts and bastions of Fort Warren.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

2. Report of Messrs. Faucher and Chan, February 12, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1575-C1A, Rehabilitation of Filter System, Waltham Pool. Estimated Cost $325,000.00 Account No. 2440-7885.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien, February 5, requesting approval to renew Contract-Agreements with Daniel Driscoll, Karl T. Haglund, John S. O. Krajovic, Joseph R. Orfant and David T. Queeley, for Planning Services Pursuant to Land Acquisition and Master Planning, as follows:
1. Contract-Agreement with Daniel Driscoll - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
2. Contract-Agreement with Karl T. Haglund - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
3. Contract-Agreement with John S. O. Krajovic - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
4. Contract-Agreement with Joseph R. Orfant - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
5. Contract-Agreement with David T. Queeley - Total Upset Limit, including $400.00 in expenses, $36,972.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.

(These Contract-Agreements are all subject to Executive Office of Environmental Affairs approval in accordance with Administrative Bulletin 89-7).
Mr. Paul Donahue, President of the Massachusetts Organization of Scientists and Engineers (MOSES), Mr. James Holway, representing the National Association of Government Employees (NAGE), both spoke in opposition to renewing the Contract-Agreements stating that the money could be better utilized to insure continued employment of members of their organizations who might be

terminated by the Commission during the next Fiscal Year.
Mrs. O'Brien explained that the individuals are five members of the eight person Planning Office and were originally hired three years ago following a public advertising process.
She noted that their duties include updating the Commission's Comprehensive Master Plan for the Park Division which has not been updated since 1956, with particular emphasis being placed on the Commission's 100 Year Anniversary. She then stated that each of the Planners has a major project area such as Old Harbor Park, Land Acquisition Program, Central Artery Project, Alewife Project, Revere Beach Redevelopment, Nantasket Beach, Saugus Marsh and Public and Private Partnership Projects.
She then noted the positions are funded from a Bond Issue and not from the 03 Consultant Account. She stated that the Legislation concerning the Bond Issue allows for spending a specific percentage for personnel.
In response to a statement by Mr. Donahue, Associate Commissioner Jones stated that over the years the Commission has requested that the Legislature permit the MDC to staff the Planning slots with permanent employees. This request, he noted, met with no success. Associate Commissioner Jones then noted that the Commission would prefer having permanent employees in these positions, thereby giving the individuals some sense of security.
Commissioner Bhatti then stated that the number of Contract-Agreements with Consultants has been reduced over the past two years and to this point no members of MOSES have been laid off.
Further, Commissioner Bhatti noted, these Bond Funded Planners promote construction contracts through their work, resulting in members of MOSES working on or supervising the contracts.
Associate Commissioner Jones stated in closing that the specialized skills and expertise of the Bond Funded employees is critical to the MDC.
The Commission V O T E D: Approved as requested by Mrs. O'Brien in her report of February 5, 1990.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mrs. Anderson, February 9, requesting that the Commission vote to approve an additional $157,000.00 for appraisal costs and $23,000.00 for title searches to complete Fiscal Year 1990 Land Acquisition - Quabbin, Ware and Wachusett Watersheds. Also requesting that funding be changed from Account No. 2000-9882, which was approved by the Commission on December 7, 1989, to Account No. 2420-9883.
Mr. Paul Donahue of the Massachusetts Organization of Scientists and Engineers spoke in opposition to this item.
Mr. Manolakis explained that a new land acquisition policy of the Executive Office of Environmental Affairs requires two appraisal reports when an acquisition is estimated to cost over $75,000.00, or an eminent domain taking is contemplated. He noted that nine of the top ten Wachusett Watershed acquisitions are expected to have values in excess of $500,000.00, with three of the acquisitions in excess of one million dollars. All ten acquisitions, he stated, are expected to be eminent domain takings.
He further explained that many of the acquisitions will require services beyond the scope of the appraiser such as hydrologic studies, geological studies, civil engineering, perc testing and timber cruises. These services, he explained, are to be incorporated into the appraisal reports so that the appraiser may support and defend the estimated fair market value in anticipation of eminent domain takings.
He then noted that most of the appraisals that are in need of updating are two years old and the appraisers are entitled to a compensation fee of 50% of the original contract amount.
Mr. Manolakis further noted that seven appraisals which were completed two years ago cannot be updated because the appraiser does not wish to update the appraisals for the Commonwealth, thereby creating a need for a new appraisal.
Following a lengthy discussion concerning title searches and in particular appraisal costs, Associate Commissioner Scandrett made a motion to hold over the matter pending further clarification.

Associate Commissioner Jones seconded the motion.
At this point, Mrs. Anderson stated that if the item were to be Held Over, it would be quite possible that there would be no Watershed Land Acquisition Program this year, due to time constraints.
Associate Commissioner Scandrett questioned why this matter had not been presented to the Commission for action several weeks ago rather than rushing it through at the last minute.
At this point, Associate Commissioner Scandrett withdrew his motion to Hold Over the matter. Associate Commissioner Jones also withdrew his second to the motion.
Associate Commissioner Jones made a motion, which was seconded and approved by the Commission, that a brief recess be called so that the matter could be further clarified by Mrs. Anderson and Mr. Wright.
Following the recess, which lasted ten minutes, the Commission meeting reconvened.
Mr. Wright explained that during the recess he had conferred with Mrs. Anderson and reviewed her memorandum to the Commission, dated February 9, 1990, concerning Fiscal Year 1990 Land Acquisition - Quabbin, Ware and Wachusett Watersheds.
He explained that the memorandum deals with monies to be spent for appraisals and title searches. He then recommended that the language of the memorandum be clarified by including a requirement that all appraisal contracts be reviewed by the Contract Administrator and following his review and recommendation that the appraisals be presented to the Commission for its approval and award.
The Commission V O T E D: to approve an additional $157,000.00 for appraisal costs and $23,000.00 for title searches to complete Fiscal Year 1990 Land Acquisition - Quabbin, Ware and Wachusett Watersheds.
The Commission further V O T E D: that all appraisal contracts for Fiscal Year 1990 Land Acquisition - Quabbin, Ware and Wachusett Watersheds be reviewed by the Contract Administrator and following his review and recommendations the appraisal contracts be presented to the Commission for action.
The Commission further V O T E D: to approve change in funding from Account No. 2000-9882 to Account No. 2420-9883 as requested by Mrs. Anderson in her report of February 9, 1990.

Adjourned at 1:50 p.m. to meet on Thursday, March 1, 1990 at 10:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Five Hundred and Seventeenth (3517th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 1, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, and Scandrett.

1. At this point, Paul K. Donohue, President of the Massachusetts Organization of State Engineers and Scientists presented the members of the Commission with a written communication which was logged-in by the Secretary of the Commission.

The Records of the Meeting held on February 8, 1990 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

2. Second Amendment, dated March 1, 1990, to Contract-Agreement with Barnes and Jarnis, for Providing Engineering Services to the Attorney General for the Metropolitan District Commission.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Chan, February 12, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P88-1511-C2A, Asbestos Abatement of Various MDC Locations.
Estimated Cost - $200,000.00. Account No. 2440-7878.
(This project must also receive approval of the Executive Office of Environmental Affairs).
Associate Commissioner Jones noted that MDC Headquarters Building was not included in the back-up information listing the facilities which will have asbestos materials encapsulated or removed.
He suggested that the Commission have a third party, not an MDC employee, conduct an asbestos survey at Headquarters Building. If the third party finds that asbestos is creating a health hazard for staff and visitors, its removal or encapsulation should be included in this Contract.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

4. Report of Messrs. Faucher and Giella, February 21, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P85-1342-C1A, Construction of Riverwalk Park, Waltham.
Estimated Cost - $650,000.00. Account No. 2449-7350.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

5. Report of Messrs. Faucher and Lespasio, February 16, on request of John Mahoney Construction Company, Inc., Contractor under Contract No. P82-1047-C2A - Rehabilitation of Lynnway/Carroll Parkway, for approval of Herasco Contractors, Inc., as subcontractor for Item No. 137, Painting Pedestrian Bridge, at a cost of $44,000.00.
The Commission V O T E D: Approved.

6. Report of Messrs. Faucher and O'Connor, February 17, requesting approval of an extension of time from February 13, 1990 to October 31, 1990, on Contract No. P82-1047-C1A, with J. F. White Contracting Company, for Rehabilitation of General Edwards Bridge, Revere/Lynn, Massachusetts, due to the timber pier fire of September 6, 1989 which destroyed the submarine cables that powers all the electrical and electronic equipment which controls

the functions of the bridge drawspan.
Associate Commissioner Jones noting that Mr. David Sullivan, Project Manager for J. F. White Contracting Company, in a letter to MDC Project Manager Ronald O'Connor, dated February 16, 1990, stated that his firm reserves all rights to compensation on this project as provided in their Contract.
Associate Commissioner Jones asked whether the Contractor will be coming in at a future time to request additional compensation.
Mr. Jewett responded that the Contractor could submit a claim for additional compensation because there is a strong disagreement between the Contractor and the Commission staff regarding responsibility for repairs to fire damaged bridge components.
He further stated that all steps have been taken to protect the Commission's interests in this matter.
The Commission V O T E D: to approve an extension of time from February 13, 1990 to October 31, 1990, as requested by Messrs. Faucher and O'Connor in their report of February 17, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Lenhardt, February 8, recommending approval of Extra Work Orders under Contract No. P84-1276-C5A, with Modern Continental Construction Company, for Temporary Pier D Support, Monsignor William J. Casey Overpass, Boston, Massachusetts, as follows:
Extra Work Order No. 1 - $ 7,400.00
Furnish and install traffic barrels to restrict and barricade roadway.
Extra Work Order No. 2 - $10,508.89
Widen the east bound Arborway Roadway for two lanes of traffic.
Extra Work Order No. 3 - $10,770.42
Furnish and install crackmeters at sections of the overpass.
Account No. 2490-8881.
(The Extra Work Orders will result in an additional cost of $28,679.31. As a result of an underrun of $16,000.00 in Traffic Control Services, the net increase will total $12,679.31).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $7,400.00.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $10,508.89.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $10,770.42.

2. Report of Messrs. Faucher, Brooks and DeLuca, February 12, submitting for approval Project Summary, Project Justification and Work Schedule and requesting permission to advertise Project No. P90-1582-M1A, Servicing Filtration and Sterilization Systems for Swimming Pools within the Metropolitan Parks System.
Estimated Cost - $280,000.00. Account No. 2440-0010-12 - FY90-91.
Associate Commissioner Jones and Scandrett questioned the ownership status of the Lloyd Pool in Melrose, noting that it was formerly operated by the Commission.
Associate Commissioner Scandrett then noted that legislation was filed last year in which the City of Melrose requested authority to return the pool to the Commission, due to the need for costly repairs. When the item was presented to the Commission for approval, prior to legislative consideration, no action was taken and the matter was deleted from the Agenda.
At this point, Associate Commissioner Jones asked that the City of Melrose be reminded that the care and control of the facility is still its responsibility.
Associate Commissioner Jones spoke of possible safety problems if the facility is not secured or razed. He asked that Legal Counsel determine the ownership status of the pool and until such time as this has been determined the City of Melrose should post warning signs noting serious safety hazards at the facility.
He then asked that Mr. Rodrigues write the appropriate person at the City of Melrose, after conferring with Mr. Wright, requesting that the City erect signage indicating ownership and safety hazards at the facility.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Lenhardt, February 12, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P84-1276-D3A, Professional Engineering Services for Bridges, Parkways and other Commission Facilities.
Estimated Cost - $250,000.00. Account No. 2490-8881.
(This project must also receive approval of the Executive Office of Environmental Affairs).
Mr. John Gatti, of Massachusetts Organization of Scientists and Engineers (MOSES), questioned the purpose and the term of this Contract-Agreement.
Mr. Lespasio explained that the Contract-Agreement services will augment MDC bridge staff for specific purpose of preparing plans and specifications for Eliot Bridge, Cambridge Viaduct and Sweetser Bridge for a term of three years. The three years, he stated, are necessary due to the need for preparation of plans and specifications and other related services during the reconstruction of the three structures.
Mr. Baratta explained that the firm chosen for this project will supplement limited existing staff and provide technical bridge rating services not otherwise available to the Commission. He then noted that the only Commission employees who could perform these services as Registered Professional Engineers, which require a Professional Engineer stamp, would be Commissioner Bhatti, Mr. Lydon and himself. He then stated that our in-house bridge inspection team will continue to inspect the bridges, but unusual problems will be referred to the engineering firm.
At this point, Mr. Gatti and Paul Donohue of MOSES referred to the Governor's Budget (House 1), which calls for a reduction in funds for the Commission's bridge inspection team. They asked that the Commission look into the possibility of transferring the $250,000.00, which is earmarked for the Consultant Contract-Agreement, to the appropriate account to insure the continued employment of all bridge inspectors.
Commissioner Bhatti asked if Messrs. Gatti and Donohue would consider assisting the Commission investigating various ways and means of resolving this matter. Both Messrs. Gatti and Donohue agreed to assist the Commission on this item.
The Commission V O T E D: Held Over pending further review.

2. Report of Messrs. Faucher and Lespasio, February 21, requesting approval to extend Contract-Agreement No. P82-1047-X4A, with Jayne E. Brady for Transportation Project Coordinator Services from April 15, 1990 to June 30, 1990. Ms. Brady will continue to be compensated at the current rate of $18.62 per hour. The compensation for the extension shall not exceed $6,663.93.
Account No. 2490-0010.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Lespasio in their report of February 21, 1990.

3. Report of Mr. Faucher and Ms. Peterson, February 20, recommending the following on Contract No. P82-1139-S2A, with Barnes and Jarnis, Inc., for Engineering Services to Determine Live Load Carrying Capacity or Rating Recommendations for Improvements of Bridges Under Commission Jurisdiction.
(a) Authorize Barnes and Jarnis, Inc. to perform the revised Casey Overpass Scope of Services under Task II.2. Related Services.
(b) Approve an increase in the services of Simpson,Gumpertz and Hager, Inc. from $15,000.00 to an amount not to exceed $23,500.00.
(c) Approve a transfer of funds in the amount of $20,045.00 from Task II.1.1. Field Inspection and Rating Reports and $19,955.00 from Task II.1.2. Supplemental Reports to Task II.2. Related Services.
(d) Approve an extension of time from July 1, 1990 to July 31, 1991 on Contract-Agreement No. P82-1139-S2A in order that Barnes and Jarnis, Inc., may continue to assist the Commission.
(The transfer of funds will result in no change in the contract obligation).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Peterson in their report of February 20, 1990.

Action was taken upon the following matter relating to the Office of Landscape Architect:

1. Report of Mr. Jackson, February 20, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1573-C1A, 1990 Parkway Landscape Improvement.
Estimated Cost - $150,000.00. Account No. 2440-8881.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, February 12, requesting that the Commission amend its vote of February 1, 1990, as follows:
1. Contract No. WM87-010-M1A - Repointing at Spillways - October 20, 1988, the Commission voted to accept the low bid that of B & E Construction Corporation, of $149,000.00. Account No. 2420-7880. The Commission amend vote of February 1, 1990, by inserting October 27, 1988 in place of October 20, 1988.
2. Contract No. WM89-001-C1A - Quabbin Administration Building Roof - February 16, 1989, the Commission voted to accept the low bid, that of D & S Roofing and Sheetmetal, of $25,000.00. Account No. 2420-7882. The Commission amend vote of February 1, 1990, by inserting $18,939.00 in place of $25,000.00.
3. Contract No. WM88-052-C1A - Fabrication and Installation of Closure Gates - April 7, 1988, the Commission voted to approve the project at an estimated cost of $200,000.00. Account No. 2420-7882.
4. Contract No. WM89-016-C1A - Potable Drilled Wells - September 7, 1988, the Commission voted to approve the project at an estimated cost of $22,650.00. Account No. 2420-7882. The Commission amend vote of February 1, 1990 by inserting September 15, 1988 in place of September 7, 1988; and by inserting estimated cost of $20,000.00 in place of $22,650.00.
5. Contract No. WM88-051-C1A - Removal and Disposal of Underground Fuel Tanks - April 7, 1988, the Commission voted to approve the project at an estimated cost of $25,000.00. Account No. 2420-7882.

The Commission V O T E D: Approved.

3. Report of Mr. McGinn, February 9, recommending the following on Contract-Agreement No. WM89-025-X1A, with Eileen Simonson, for services as Liaison Officer MDC/MWRA -
(a) That the Contract-Agreement with Ms. Simonson be accepted as completed as of January 31, 1990.
(b) That Invoice No. 5, in the amount of $2,818.60, be approved for payment.
(Basis of Award - $38,820.00)
(Total to Date - $16,585.15)
(Ms. Simonson's Contract Rating - 8.50 - with 10.00 an excellent rating).
At this point, on motion of Commissioner Bhatti and Associate Commissioner O'Malley, the Commission commended Ms. Simonson for her outstanding work and the significant contribution she made while the Commission's representative to the MWRA. They noted that she performed her duties in a highly professional manner above and beyond the requirements of the position.
Associate Commissioner O'Malley pointed out that Ms. Simonson spent many hours working on Commission matters without receiving compensation.
The Commission then wished Ms. Simonson success in all future endeavors.
The Commission V O T E D: that the work of Ms. Eileen Simonson, Consultant under Contract-Agreement No. WM89-025-X1A, for services as Liaison Officer MDC/MWRA, be and hereby is accepted

as completed as of January 31, 1990.
The Commission further V O T E D: to approve Invoice No. 5, in the amount of $2,818.60, for payment.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Rodrigues, February 20, submitting for approval Agreement with Community Boating, Inc., for operation of a public sailing and boating program in the Charles River basin for a term of five years, commencing January 1, 1990 and terminating on December 31, 1994.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the MetroParks Zoos:

2. Report of Dr. Goldstein, February 26, requesting approval of a Contract-Agreement with Dr. Donna Marie Fernandez, to provide services as an Instructor for the Franklin Park and Stone Zoos. Total Compensation $7,200.00, for the period from March 18 through June 30, 1990. Account No. 2443-2000.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mrs. Anderson, February 23, for the Land Board, submitting a request from the Massachusetts Water Resources Authority (MWRA) for temporary and permanent easements on Red Wing Bay and the Charles River Reservation in the Town of Needham, as shown as Parcel Nos. 75, 76, T-96, T-97, T-98, T-99 (Red Wing Bay), and, as Parcel Nos. 70, T-92, T-93 and T-94 (Charles River Reservation) on plans entitled "Plan of Wellesley Extension Sewer Replacement, Land Taking Plan Nos. 3-7 and 3-8, in Dedham, Dover, Needham and Wellesley", to be taken by MWRA. (The Land Board recommends that the Commission vote, pending the passage of legislation, that the above easements be declared "surplus to this Agency's needs" in compliance with the provisions of Chapter 579 of the Acts of 1980 and subject to certain terms and conditions).
Mrs. Anderson explained that plans for this project have been in progress since 1984, prior to Massachusetts Water Resources Authority taking over control of the MDC's Sewerage Division. She noted that its completion will relieve spillage of raw sewage into the Charles River during period of high groundwater and heavy rainfall.
Mrs. Anderson then stated that MWRA staff worked closely with Mrs. O'Brien and Mr. Jackson to ensure that all MDC concerns with regards to the project were addressed.
The Commission V O T E D: Approval of temporary and permanent easements on Red Wing Bay and the Charles River Reservation in the Town of Needham, as shown as Parcel Nos. 75, 76, T-96, T-97, T-98, T-99 (Red Wing Bay), and, as Parcel Nos. 70, T-92, T-93 and T-94 (Charles River Reservation) on plans entitled "Plan of Wellesley Extension Sewer Replacement, Land Taking Plan Nos. 3-7 and 3-8, in Dedham, Dover, Needham and Wellesley, to be taken by MWRA, pending the passage of legislation, that the above easements be declared "surplus to this Agency's needs" in compliance with the provisions of Chapter 579 of the Acts of 1980 and subject to certain the following conditions:
1. That the MWRA remove all MWRA manholes located in the easement areas which are no longer necessary and operational.
2. That the MWRA restore the land according to the construction/ landscaping drawings entitled "Massachusetts Water Resources Authority, Contract No. 3, Drawing Nos. 7, 8 and 20".
3. That when maintenance is required, the MWRA restore the land to a condition comparable to that which existed prior to maintenance.
4. That upon completion of the Wellesley Extension Sewer Replacement line, the MWRA will take the necessary actions toward the abandonment wherever possible of its rights to use the existing Wellesley Extension Sewer line in the MDC easement.

1. At this point, Associate Commissioner Jones requested that when an item is presented to the Commission for action, and the memorandum states that the matter has been reviewed and approved by another individual, that the individual referred to initial the memorandum.

Action was taken upon the following matter relating to the Office of Contract Administration:

2. Report of Mr. Jewett, February 28, submitting the recommendation of the Concession Selection Committee that the Commission rescind its vote of August 10, 1989 awarding a permit to WesCo Concessions, Inc., for the operation of a Gift Shop and Food Service Concession at Franklin Park and Stone Zoos for a three year period.
Also a further request to authorize the Concession Selection Committee to advertise for new proposals.
The Commission V O T E D: Held Over.

The following matters were placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from January 22, 1990 to January 29, 1990.

Expenditures	$556,062.60
Summer Youth	$ 408.43

4. The following schedules were approved for payment by the Commissioner during the period from January 29, 1990 to February 5, 1990.

Expenditures	$710,755.78
Summer Youth	$ 353.85

5. The following schedules were approved for payment by the Commissioner during the period from February 5, 1990 to February 12, 1990.

Expenditures	$305,549.16
Summer Youth	$ 369.12

Adjourned at 12:45 p.m. to meet on Thursday, March 8, 1990 at 10:00 a.m.

William F. Cronin
Secretary

Record of the Three Thousand Five Hundred and Eighteenth (3518th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 8, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on February 15, 1990 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, February 12, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P84-1276-D3A, Professional Engineering Services for Bridges, Parkways and other Commission Facilities.
Estimated Cost - $250,000.00. Account No. 2490-8881.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Held Over.

2. Report of Messrs. Faucher and Lenhardt, March 1, recommending approval of an Amendment to Contract-Agreement No. P84-1276-D2A, with Hoyler, Tanner and Associates, Inc., for Professional Engineering Services for Repairs to Bridges, Parkways and Other Facilities of the Metropolitan District Commission, which will extend the completion date from July 1, 1990 to December 31, 1990, so that the Consultant can provide construction engineering services for Contract Nos. P84-1276-C2A and P84-1276-C3A.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of March 1, 1990.

3. Report of Mr. Faucher and Ms. Peterson, March 1, recommending approval of an Amendment to Contract-Agreement No. P82-1052-D1A, with H. W. Lochner, Inc., for Structural Engineering Services for the Upgrading of Philip Briggs Bowker Interchange and Inbound Storrow Drive Structure, which will extend the completion date from August 1, 1990 to August 1, 1993, so that the Consultant can complete design.
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Peterson.

4. Report of Mr. Faucher and Ms. Peterson, February 27, recommending approval of a revision in quantity on Item No. 011-040, Materials, Components, Parts and Controls, at an increase in cost of $13,000.00, on Emergency Contract No. P82-1051-C2A, with Goudreau Corporation, Inc., for Repair of Craigie Drawbridge, Charles River Dam Road over Charles River, Boston, due to the need for additional work. Account No. 2490-0009.
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Peterson in their report of February 27, 1990.

5. Report of Messrs. Faucher and Carrigan, February 14, recommending the following on Contract No.P89-1552-C1A, with Reynolds Brothers, Inc., for Construction of Parking Lot, Franklin Park Zoo -
(a) That work be accepted as completed as of December 31, 1989.
(b) That Estimate No. 8-Final, in the amount of $11,734.87, be approved for payment.
(c) That reserve, in the amount of $61,869.65, be approved for payment.
(Basis of Award - $1,408,827.00)
(Total to Date - $1,237,392.89)
(Contract Administration Rating - 3.57)
(EEO Compliance - 5.00)
The Commission V O T E D: that the work of Reynolds Brothers, Inc., Contractor under Contract No. P89-1522-C1A, for Construction of Parking Lot, Franklin Park Zoo, be and hereby is accepted as completed as of December 31, 1989.
The Commission further V O T E D: to approve Estimate No. 8

(Final), in the amount of $11,734.87, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $61,869.65, for payment.

1. Report of Messrs. Faucher and Kirwin, February 12, recommending approval of revision in quantities, at a total additional cost of $5,286.00, on Contract No. P85-1337-M2A, with New England Traffic Signal, Inc., for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts, as follows:

Item No. 12 -	Pedestrian Signal Head-Type B	- $ 230.00
Item No. 16 -	Pedestrian Pushbutton and Sign	- $ 400.00
Item No. 18 -	Cement Concrete Foundation Removed and Discarded	- $ 200.00
Item No. 19 -	Cement Concrete Foundation - Octagonal Base	- $2,250.00
Item No. 20 -	Communication System and Clerical Work	- $ 400.00
Item No. 21 -	Storage Room and Engineer's Office	- $1,800.00
Item No. 24 -	Multiconductor Traffic Signal Cable - 15 Conductor	- $ 6.00

(Final underruns on other items will more than offset the projected increase in cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Kirwin in their report of February 12, 1990.

2. Report of Messrs. Faucher and Kirwin, February 26, recommending approval of revision in quantities, at a total additional cost of $6,498.85, on Contract No. P85-1337-M1A, with New England Traffic Signal, Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts, as follows:

Item No. 5 -	Labor Rate for Licensed Electrician Controller Technician	- $3,426.00
Item No. 10 -	Vehicle Signal Head, 12" Lens	- $ 810.00
Item No. 20 -	Communication System and Clerical Work	- $ 400.00
Item No. 21 -	Storage Room and Engineer's Office	- $1,800.00
Item No. 26 -	Traffic Signal Wire-T.F.F. #18	- $ 62.85

(Final underruns on other items will more than offset the projected increases in costs).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Kirwin in their report of February 26, 1990.

3. Report of Messrs. Faucher and Okeke, January 11, requesting approval of Project Summary, Project Justification and Work Schedule and requesting permission to advertise Project No. P90-1574-C1A, for Replacement Including Disposal of Existing Gasoline and Diesel Fuel Tanks and Appurtenances at Various MDC Locations. Estimated Cost $1,500,000.00. Account No. 2490-8881. (This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

Action was taken upon the following matter relating to the Office of Contract Administration:

4. Report of Mr. Jewett, February 28, submitting the recommendation of the Concession Selection Committee that the Commission rescind its vote of August 10, 1989 awarding a permit to WesCo Concessions, Inc., for the operation of a Gift Shop and Food Service Concession at Franklin Park and Stone Zoos for a three year period.
Also a further request to authorize the Concession Selection Committee to advertise for new proposals.
Associate Commissioner Jones did not participate in discussion nor vote on this item.

The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

1. Matter of extending permits for Peddocks Island Cottages from March 1, 1990 to May 1, 1990, pending completion of the new permit development process.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Police Division:

2. Matter of petition of Attorney Salvatore J. Ciccarelli for reinstatement of Perfection Towing in a modified capacity.

At this point, Deputy Police Superintendent White explained that the Police Division has not taken a position on the request of Perfection Towing to be reinstated in a modified capacity. However, he stated, if the Commission votes to reinstate Perfection Towing in a modified capacity that the firm be reassigned to Area 4 as a primary tow contractor and Areas 5, 7 and 8 as an alternate and that Perfection Towing and Stanley Tow split the work evenly in these areas. This could be accomplished, he stated, by an even/odd day schedule to be worked out by the Police Division to insure compliance with the schedule.
Attorney Salvatore J. Ciccarelli, representing Perfection Towing, reviewed the events which let to the firm termination by the Commission. He then pointed out that the services of Perfection Towing were terminated due to delays in tow response time and for no other reason.
Attorney Ciccarelli then stated that if Perfection Towing is reinstated, in a modified capacity, full service will begin immediately as all personnel and equipment utilized during the past permit are still available.
At this point, Attorney William Farrell, representing Stanley Towing, the firm presently providing the tow service for Area 4, addressed the Commission. He stated that when Stanley Towing became the primary tow contractor for Area 4, on October 6, 1989, the owner purchased $60,000.00 worth of additional equipment to better serve the public and the Commission.
Attorney Farrell then spoke of the outstanding performance of Stanley Towing since it was awarded the permit.
Associate Commissioner Whelan questioned the fairness of taking the permit from Stanley Towing.
At this point, Deputy Superintendent White explained that the Police Division has instituted new towing oversight procedures which should assist in upgrading all towing services.
Following the lengthy discussion, the Commission Voted: to accept the petition of Attorney Salvatore J. Ciccarelli, dated December 22, 1989, for reinstatement of Perfection Towing in a modified capacity.
The Commission further V O T E D: to direct Deputy Superintendent White to meet with representatives of Stanley Towing and Perfection Towing concerning mutually agreeable splitting of the work in Primary Area 4 and work in Areas 5, 7 and 8 as Alternates. This should be done in consultation with Legal Counsel. Upon conclusion of this process, Deputy Superintendent White was directed to return to the Commission with the final determination for approval.
The Commission further V O T E D: to endorse the new modified Towing procedures as outlined in a memo from Superintendent Bratton to Commissioner Bhatti and approved by Commissioner Bhatti on February 22, 1990.

The following matter was placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from February 12, 1990 to February 19, 1990.

Expenditures	$433,809.86
Summer Youth	$ 413.01

Adjourned at 1:00 p.m. to meet on Thursday, March 15, 1990 at 10:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Five Hundred and Nineteenth (3519th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 15, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on March 1, 1990 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher, March 8, submitting for signature three documents namely, Release Agreement and Settlement Agreement, which have been signed by both Fay, Spofford & Thorndike, Inc. and CNA Insurance Companies, and the Engineering Agreement that has been signed by Fay, Spofford and Thorndike, Inc., pertaining to Castle Island Slope Protection.
(December 7, 1989 - Commission voted to accept settlement).
The Secretary then submitted for signature Release Agreement, Settlement Agreement and Engineering Agreement, dated March 15, 1990, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Messrs. Faucher and Lenhardt, February 12, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P84-1276-D3A, Professional Engineering Services for Bridges, Parkways and other Commission Facilities.
Estimated Cost - $250,000.00. Account No. 2490-8881.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Held Over.

3. Report of Messrs. Faucher and Lespasio, March 5, requesting approval of an extension of time from April 11, 1990 to May 31, 1990, on Contract No. P82-1047-C2A, with J. Mahoney Construction Company, Inc., for Rehabilitation of Lynnway/Carroll Parkway, to insure that the remaining major items, landscaping and painting of the pedestrian bridge, are accomplished during favorable weather conditions.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time from April 11, 1990 to May 31, 1990, as requested by Messrs. Faucher and Lespasio in their report of March 5, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Kirwin, March 8, recommending the following on Contract No. P85-1337-M1A, with New England Traffic Signals, Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts -
(a) That work be accepted as completed as of November 30, 1986.
(b) That Estimate No. 14 (Final), in the amount of $16,404.38, be approved for payment.
(c) That reserve in the amount of $10,153.67, be approved for payment.
(Basis of Award - $257,080.00)
(Total to Date - $203,074.90)
(Contract Administration Rating - 2.40)
(EEO Compliance - 3.00)
The Commission V O T E D: that the work of New England Traffic Signals, Inc., Contractor under Contract No. P85-1337-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts, be and hereby is accepted as completed as of November 30, 1986.
The Commission further V O T E D: to approve Estimate No. 14 (Final), in the amount of $16,404.38, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $10,153.67, for payment.

1. Report of Messrs. Faucher and Kirwin, March 8, recommending the following on Contract No. P85-1337-M2A, with New England Traffic Signals, Inc., for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts -
(a) That work be accepted as completed as of November 30, 1986.
(b) That Estimate No. 14 (Final), in the amount of $14,219.55, be approved for payment.
(c) That reserve in the amount of $10,767.67, be approved for payment.
(Basis of Award - $292,495.00)
(Total to Date - $215,354.55)
(Contract Administration Rating - 2.40)
(EEO Compliance - 3.00)
The Commission V O T E D: that the work of New England Traffic Signals, Inc., Contractor under Contract No. P85-1337-M2A, for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts, be and hereby is accepted as completed as of November 30, 1986.
The Commission further V O T E D: to approve Estimate No. 14 (Final), in the amount of $14,219.55, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $10,767.67, for payment.

2. Report of Messrs. Faucher and Higgott, March 7, recommending approval of Extra Work Claim No. 7, in the amount of $12,830.70, for Fel-Poxy work for all locks, on Contract No. P78-0667-C1A, with J. F. White Contracting Company, for Rehabilitation of the Amelia Earhart Dam, Navigational Locks and Flood Control Pumping Station in the Cities of Somerville and Everett, Massachusetts. Account No. 2440-8886.
Associate Commissioner Jones questioned the longevity of Fel-Poxy Resin as compared to steel.
Mr. Baratta stated that if properly applied the Fel-Poxy Resin will have a similar life-span to steel and its cost will be $12,830.70 as opposed to approximately $100,000.00 for the original metal.
The Commission V O T E D: to waive the provision of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 7, in the amount of $12,830.70, for the cost of Fel-Poxy work for all locks that was not included in the original contract.

3. Report of Messrs. Faucher and Higgott, March 8, on bids for Repair of Seawall and Restoration of Pavilions and Bandstand, Revere Beach Reservation, Contract No. P82-1079-C1A - Account No. 2440-8881.
(Messrs. Faucher and Higgott recommend acceptance of the low bid, that of Linden Construction Co., of $5,990,541.00).
Associate Commissioner O'Malley questioned if Linden Construction had worked for the Commission in the past.
Mr. Jewett stated that the firm held an MDC contract two years ago and its performance was satisfactory. In addition, he explained, other State agencies were contacted and all gave Linden a satisfactory evaluation.
At this point, Associate Commissioner Whelan noted that in the backup memo of Messrs. Faucher and Higgott, it was noted that Linden Construction Company was the "apparent low bidder for the contract". He questioned the accuracy of this statement.
Mr. Higgott explained that this is a statement he uses until such time as a contract is awarded by the Commission and in actuality Linden Construction Company was the low-bidder for the project.
Associate Commissioner Jones moved that this statement be removed from the memo of recommendation, and that a new statement, clarifying the recommendation be prepared and given to the Commission Secretary.
Associate Commissioner Whelan seconded the motion which was then approved by the Commission.
On questioning by Associate Commissioner Jones, Mr. Higgott stated that several skilled trades will be utilized on this Contract. Associate Commissioner Jones, noting that this is a long term project, asked that Mr. Higgott and Mr. Willie Brown, work closely to insure that minorities, women, and native

Americans are employed, thereby offering those individuals and opportunity to fulfill requirements for obtaining trade licenses. Associate Commissioner Jones pointed out that the primary purpose of the Contract is the health and safety of the public, with aesthetics and beach use a secondary benefit.
He pointed out that if erosion at the beach continues, the adjacent roadway could be destroyed leading to serious safety and traffic problems for the area.
The Commission V O T E D: to accept the lowest bid, that of Linden Construction Co., of $5,990,541.00.

Action was taken upon the following matter relating to the Office of Contract Administration:

1. Report of Mr. Jewett, February 28, submitting the recommendation of the Concession Selection Committee that the Commission rescind its vote of August 10, 1989 awarding a permit to WesCo Concessions, Inc., for the operation of a Gift Shop and Food Service Concession at Franklin Park and Stone Zoos for a three year period.
Also a further request to authorize the Concession Selection Committee to advertise for new proposals.
The Commission V O T E D: Held Over.
Associate Commissioner Jones did not participate in discussion nor vote on this matter.

Action was taken upon the following Various Matter:

2. Report of Mr. Wright submitting for approval and signature Concurrent Police Jurisdiction Agreement with the Town of Weymouth, for the period from March 15, 1990 to December 31, 1993.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Concurrent Police Jurisdiction Agreement, dated March 15, 1990, with the Town of Weymouth, which was signed by the Commissioner and four Associate Commissioners.

3. At this point, on a motion of Associate Commissioner Jones, which was seconded, the Commission V O T E D as follows:
To establish a formal project within the Commission to refurbish Camp Meigs which could be accomplished by the short-term assignment of in-house personnel with available materials and a modest drawn-down on the Metro Parks Fund.
These efforts would culminate in an appropriate ceremony, during the first week in September 1990, rededicating Camp Meigs, with particular emphasis on the recognition of the 54th and 55th Massachusetts Volunteer Infantry Regiment and the 5th Massachusetts Volunteer Calvary Regiment, who mustered and trained at, and embarked from, the Camp during the Civil War.

The following matter was placed on the agenda for the information of the Commission:

4. The following schedules were approved for payment by the Commissioner during the period from February 19, 1990 to February 26, 1990.

Expenditures	$1,163,159.23
Summer Youth	$ 318.06

Adjourned at 1:15 p.m. to meet on Thursday, March 22, 1990 at 10:00 a.m.

William F. Cronin
Secretary

Record of the Three Thousand Five Hundred and Twentieth (3520th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 22, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners O'Malley, Scandrett and Whelan.

The Records of the Meeting held on March 8, 1990 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, February 12, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P84-1276-D3A, Professional Engineering Services for Bridges, Parkways and other Commission Facilities.
Estimated Cost - $250,000.00. Account No. 2490-8881.
(This project must also receive approval of the Executive Office of Environmental Affairs).
Mr. Baratta explained that he met recently with Commissioner Bhatti and representative of the Massachusetts Organization of Scientists and Engineers (MOSES). At that time, he noted, the matter of inspection services for bridges, parkways and other facilities was clarified and resolved.
In closing, Mr. Baratta pointed out that these are capital funds and as such cannot be transferred for the services of Commission employees under the operating budget.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

2. Report of Messrs. Faucher and Arinella, February 16, recommending the following on Contract No. P86-1422-M1A, with Kenett Corporation, for Servicing Hydraulic Systems, Charles River Dam, Charlestown.
(a) That work be accepted as completed as of January 31, 1990.
(b) That Estimate No. 6 (Final), in the amount of $5,223.34, be approved for payment.
(c) That reserve, in the amount of $2,219.51, be approved for payment.
(Basis of Award - $47,980.00)
(Total to Date - $44,391.24)
(Contract Administration - 5.00)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Kenett Corporation, Contractor under Contract No. P86-1422-M1A, for Servicing Hydraulic Systems, Charles River Dam, Charlestown, be and hereby is accepted as completed as of January 31, 1990.
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of $5,223.34, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,219.51, for payment.

3. Report of Messrs. Faucher and Okeke, February 26, recommending the following on Contract No. P90-1571-M1A, with Balfour Engineering Co., Inc., for Incinerator Repairs at Franklin Park Zoo.
(a) That work be accepted as completed as of February 22, 1990.
(b) That Estimate No. 2 (Final), in the amount of $18,591.06 be approved for payment.
(c) That reserve, in the amount of $1,522.48, be approved for payment.
(Basis of Award - $27,200.00)
(Total to Date - $30,449.54)
(Contract Administration Rating - 3.70)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Balfour Engineering Co., Inc., Contractor under Contract No. P90-1571-M1A, for

Incinerator Repairs at Franklin Park Zoo, be and hereby is accepted as completed as of February 22, 1990.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $18,591.06, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,522.48, for payment.

1. Report of Messrs. Faucher and Kelley, February 27, recommending the following on Contract No. P88-1546-C1A, with C. J. Mabardy, Inc., for Alewife Brook Short Term Clean-up -
(a) That work be accepted as completed as of February 20, 1990.
(b) That Estimate No. 2 (Final), in the amount of $284.05, be approved for payment.
(c) That reserve, in the amount of $3,614.95, be approved for payment.
(Basis of Award - $77,000.00)
(Total to Date - $72,299.00)
(Contract Administration - 5.00)
(EEO Compliance - 4.00)
The Commission V O T E D: that the work of C. J. Mabardy, Inc., Contractor under Contract No. P88-1546-C1A, for Alewife Brook Short Term Clean-up, be and hereby is accepted as completed as of February 20, 1990.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $284.05, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,614.95, for payment.

2. Report of Messrs. Faucher and Okeke, March 2, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1578-C1A, Critical Repairs to Skating Rinks at Various MDC Facilities. Estimated Cost $187,400.00. Account No. 2440-7893.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

3. Report of Messrs. Faucher and DeLuca, March 5, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1576-C1A, Critical Repairs to Swimming Pools at Various MDC Facilities. Estimated Cost $500,000.00. Account No. 2440-7893.
(This project must also receive approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

4. Report of Mr. Faucher and Ms. Jones, March 12, recommending approval of a revision in quantity on Item 002-010, Four Inch Painted Lines, at a cost of $800.00, on Contract No. P88-1540-M2A, with Expert Lines, For Parking Lines for Parking Spaces at Various Locations in the Greater Boston Area.
(At no additional obligation to the Commission as increase will be offset by unused quantities in other items).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Jones in their report of March 12, 1990.

5. Report of Messrs. Faucher and Arinella, March 15, recommending approval of an extension of time from June 11, 1989 to March 31, 1990, on Contract No. P89-1562-C1A, with Underwater Construction Co., for Replacement of Upper and Lower Sluice Gates, Charles River Locks and Dam, Charlestown, Massachusetts.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time from June 11, 1989 to March 31, 1990, as recommended by Messrs. Faucher and Arinella in their report of March 15, 1990, to be effective, however, only upon receipt of the written consent of

the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Arinella, March 8, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1577-000, Rehabilitation Program to Upgrade the Charles River Dam Facility, Charlestown, Massachusetts.
FY90 Estimated Cost - $1,000,000.00 - Account No. 2440-7893.
(This project must also receive approval of the Executive Office of Environmental Affairs).
Mr. Baratta explained that the Division is requesting approval of the expenditure of $470,000.00, at this time, to implement a series of contracts (P90-1577-C1A thru P90-1577-C5A) for work to commence this Fiscal Year. He then stated that the Division will be requesting approval of $530,000.00 for other critical programs in the near future.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

Action was taken upon the following matters relation to the MetroParks Zoos:

2. Report of Dr. Goldstein, March 15, relative to staffing and finance problems at Franklin Park and Stone Zoos.
The Commission V O T E D: to accept the Report. A copy is on file in the Secretary's Office.

3. Report of Dr. Goldstein, March 16, requesting blanket authorization for visitor services specialists, maintenance technicians and animal care providers for Metro Parks Zoos. Time for Performance April 1, 1990 to June 30, 1990. Total Compensation not to exceed $170,000.00. Funding provided through Metro Parks Zoos retained revenue Account No. 2443-0001.
Associate Commissioner Whelan questioned if visitor service specialists, maintenance technicians and animal care providers will be assigned to the Stone Zoo as part of the blanket authorization.
Dr. Goldstein responded in the affirmative.
The Commission V O T E D: Approved.

4. Report of Dr. Goldstein, March 16, requesting blanket authorization to engage the services of maintenance specialists for Metro Parks Zoos. Time for Performance will be April 1, 1990 to June 30, 1990. Total Compensation not to exceed $24,000.00. Funding provided through Metro Parks Zoos retained revenue Account No. 2443-0001.
The Commission V O T E D: Approved.

5. Report of Dr. Goldstein, March 16, requesting approval to contract with the Massachusetts Bay Transportation Authority to provide shuttle service between the Morton Street Parking Lot and the Franklin Park Zoo, for the period April 7, 1990 through June 30, 1990 on weekends, during specified hours. Estimated cost $45,985.00 Funding provided through Metro Parks Zoos retained revenue Account No. 2443-0001.
The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to the Office of Contract Administration:

6. Report of Mr. Jewett, February 28, submitting the recommendation of the Concession Selection Committee that the Commission rescind its vote of August 10, 1989 awarding a permit to WesCo Concessions, Inc., for the operation of a Gift Shop and Food Service Concession at Franklin Park and Stone Zoos for a three year period.
Also a further request to authorize the Concession Selection Committee to advertise for new proposals.
The Commission V O T E D: Held Over.
Associate Commissioner Jones did not participate in discussion nor vote on this matter.

1. Report of Mr. Jewett, March 16, recommending approval of Contract No. R90-0001-L1A, with Merrimack Engineering Services, Inc., for Wachusett Reservoir Land Survey Services (Identified Parcels) - for the Lump Sum of $40,000.00. Time of Performance will be eight months. Account No. 2420-9883.
Following questioning by Associate Commissioner Scandrett, Mr. O'Connor briefly outlined the reasons that MDC staff could not perform land survey services. Associate Commissioner Scandrett then asked that Mr. O'Connor prepare and submit to the Commission Secretary a memo further enumerating these reasons. Associate Commissioner Scandrett then asked that salient points from the memo be incorporated into the minutes of today's Commission meeting. These points, taken from Mr. O'Connor's memo, are as follows:

1. In order to accomplish these projects (which must be completed before June 30, 1990 in order to complete the FY 90 Acquisition Program), it is necessary to have multiple survey parties, consisting of from two to four persons each, working simultaneously on several land surveys. This is one of the reasons that three contracts with three firms were necessary. Each firm has guaranteed that it can supply two to three crews each for this project (for a total of six to nine crews of two to four persons each).
2. While it may have been possible to hire two to three Registered Land Surveyors using very high engineering job grades and the requisite 12-36 supporting survey staff for these projects (this does not include office and drafting support staff), the Division would not have work for these persons after June 1, 1990.
3. In order to accomplish this project on time and in an efficient manner, sophisticated survey equipment, CAD drafting equipment, vehicles, and computer equipment would be necessary, costing tens of thousands of dollars. Again, most of this equipment would not be used after June 30, 1990.

The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of March 16, 1990.

2. Report of Mr. Jewett, March 16, recommending approval of Contract No. R90-0001-L2A, with Greenman - Pederson, Inc., for Wachusett Reservoir Land Survey Services (Unidentified Parcels) - for the "not-to-exceed" sum of $55,000.00. Time for Performance will be eight months.
Account No. 2420-9883
The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of March 16, 1990.

3. Report of Mr. Jewett, March 16, recommending approval of Contract No. R90-0001-L3A, with C.T. Male Associates, P.C., for Quabbin Reservoir Land Survey Services (Unidentified Parcels) - for the "not-to-exceed" sum of $35,000.00. Time for Performance will be eight months. Account No. 2420-9883.
The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of March 16, 1990.

4. Report of Mr. Jewett, March 20, submitting for approval and execution, nine Contracts for Watershed Land Acquisition Program - Professional Real Estate Appraisal Services, as follows:

Name	VALUE	PARCELS
Steven C. Byrnes	$22,600.00	8
O'Connor Real Estate Associates, Inc.	$47,100.00	9
T.H. Reenstierna and Sons	$11,200.00	6
Abigail Burns	$34,450.00	7
Leo Flynn	$29,975.00	7
Peter Emerson and Associates	$37,220.00	9
L.J. Boudreau and Associates	$ 5,800.00	3
George Frattaroli	$ 3,800.00	1
Paul J. Reynolds	$33,475.00	6

(The appraisal Contracts must be completed by June 30, 1990).
Account No. 2420-9883.
Mrs. Anderson spoke in detail of the use of independent fee appraisers for the Watershed Land Acquisition Program which will lead to the acquisition of 38 critical parcels in the Wachusett, Ware and Quabbin Watersheds.

Mrs. Anderson then presented the Commission with a memo, dated March 22, 1990, to William F. Chisholm, Secretary, concerning Appraisal Services for FY90 Watershed Acquisition Program and the reasons why independent fee appraisers must be used for the acquisitions rather than in-house appraisers, which states in part, the following:

'To cite the most recent directives on this subject, I refer to the EOEA Land Acquisition Policies and Procedures, dated January 10, 1990, which states on Page 1 that - EOEA agencies will use standardized appraisal and title examination specifications in its contract for these services'.

Page 2 of the same document further states that 'In complicated or potentially hostile acquisitions, two full appraisals will be done, or one full appraisal with a field review by a review appraiser'.

I also refer to the Attorney General's letter to Kathy Abbott, dated December 14.,1989, which comments on the EOEA draft of Land Acquisition Policies and Procedures: '... we recommend that EOEA agencies approach every acquisition procedurally as if it were to be an eminent domain taking, even if it results in a negotiated purchase.' (Page 2).

'No agency in the Commonwealth has greater experience in land acquisition by whatever means than the Department of Public Works. DPW procedures have evolved over many years, adapting to changes in the law, the economy and conveyancing practice. We believe they cannot be substantially improved .... The DPW maintains and annually updates lists of qualified independent fee appraisers and engineers. It regulates to a high professional standard the requirements of appraisals to it.' (Page 3).

It is also important to remember that FY90 Watershed Acquisition Program is of limited duration involving the acquisition of 38 parcels within a short period of time. When the project is concluded, there will be no further need for the services of nine appraisers. For that additional reason, it would not be prudent to hire a large staff of in-house appraisers'.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract-Agreements, dated March 22, 1990, for Professional Real Estate Appraisal Services, which was signed by the Commissioner and two Associate Commissioners.

Associate Commissioner O'Malley did not participate in discussion nor vote on this matter.

Action was taken upon the following Various Matters:

2. Report of Mr. Morris, March 16, submitting for preliminary approval revised proposed Rules and Regulations for the Southwest Corridor Park which were originally approved December 1, 1988.
The Commission V O T E D: Approved.

3. Report of Mr. Traficante, March 15, recommending the following on Contract with George Paul Fire Safety Consultants, Inc., for Fire and Life Risk Analysis, 20 Somerset Street, Boston.
(a) That work be accepted as completed as of January 5, 1990.
(b) That Final Invoice, in the amount of $3,925.00, be approved for payment.
(Basis of Award - $4,700.00)
(Total to Date - $3,925.00)
(Contract Administration Rating - 7.00 on a scale of 1.00 to 10.00 with 10.00 being excellent)

The Commission V O T E D: that the work of George Paul Fire Safety Consultants, Inc., Consultant for Fire and Life Risk Analysis, 20 Somerset Street, Boston, be and hereby is accepted as completed as of January 5, 1990.
The Commission further V O T E D: to approve Final Invoice, in the amount of $3,925.00, for payment.

1. The following matter was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from February 26, 1990 to March 5, 1990.

Expenditures	$748,714.65
Summer Youth	$ 395.12

Adjourned at 12:10 p.m. to meet on Thursday, March 29, 1990 at 10:00 a.m.

William F. Clark
Secretary

Record of the Three Thousand Five Hundred and Twenty First (3521st) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 29, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on March 15, 1990 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated March 29, 1990, with Dr. Donna Marie Fernandez, for Services as an Instructor for the Franklin Park and Stone Zoos.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Kirwin, March 21, recommending approval to revise quantities on Contract No. P87-1480-M3A, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts, as follows -
Item No. 008-010 -
Hourly Rate for Vehicle Misc. Repairs - $2,224.00
Item No. 020-010 -
Communication System and Clerical Work - $1,433.33
Item No. 021-010 -
Storage Room and Engineer's Office - $1,250.00
Item No. 029-010 -
Traffic Control Services - $1,021.95
(The cost of these revisions will be offset by unused quantities in other items).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Kirwin in their report of March 21, 1990.

3. Report of Messrs. Faucher and Lespasio, March 12, recommending approval of the following on Contract No. P82-1047-C2A, with John Mahoney Construction Company, Inc., for Rehabilitation of Lynnway/Carroll Parkway, Lynn -
(a) Extra Work Order No. 2 -
Removal and Relocation of a Light and Sign - $ 2,219.52
Extra Work Order No. 3 -
Installation of 115' of Chain Link Fences - $ 5,196.35
Extra Work Order No. 4 -
Adjustment of Sprinkler Head, North Shore Community College - $ 1,241.78
(b) Alteration No. 4 -
Item 46 - Steel Sleeve - a Credit of + $10,820.72
(The approval of the Extra Work Orders and Alteration will result in no increase in obligation to the Commission).
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $2,219.52.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $5,196.35.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $1,241.78.
The Commission further V O T E D: to approve Alteration No. 4, in the amount of a $10,820.72 Credit to the Commission, as recommended by Messrs. Faucher and Lespasio in their report of March 12, 1990.

Action was taken upon the following matter relating to the Flood Control/Management and Navigational Operations Division:

4. Report of Mr. Winter, March 8, recommending that the Commission ratify and approve the award of Emergency Service Work to Fairbanks Morse, Engine Division, and authorize payment, in the amount of $2,225.83, for engine repairs, at the Charles River Dam. Account No. 2440-0010.
The Commission V O T E D: to ratify and approve the award of

Emergency Service Work to Fairbanks Morse, Engine Division.
The Commission further V O T E D: to authorize payment, in the amount of $2,225.83, for engine repairs, at the Charles River Dam.

Action was taken upon the following matter relating to the Office of Contract Administration:

1. Report of Mr. Jewett, February 28, submitting the recommendation of the Concession Selection Committee that the Commission rescind its vote of August 10, 1989 awarding a permit to WesCo Concessions, Inc., for the operation of a Gift Shop and Food Service Concession at Franklin Park and Stone Zoos for a three year period. Also a further request to authorize the Concession Selection Committee to advertise for new proposals.
The Commission V O T E D: Held Over.
Associate Commissioner Jones did not participate in discussion nor vote on this matter.

Action was taken upon the following matters relating to the Watershed Managment Division:

2. Report of Messrs. McGinn and Kane, March 22, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. WM91-100-C1A, Removal and Replacement of Underground Fuel Tanks.
Estimated Cost $500,000.00 - Account No. 2490-8881.
(This project must also receive the approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

3. Report of Messrs. McGinn and Kane, March 12, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. WM90-006-S1A, Emergency Action Plan, Quabbin Reservoir.
Estimated Cost is $300,000.00 - Account No. 2420-8881.
(This project must also receive the approval of the Executive Office of Environmental Affairs).
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise once approval is received from the Executive Office of Environmental Affairs.

4. Report of Messrs. McGinn and O'Connor, on proposals for the purchase of forest products located on the Quabbin and Ware River Watershed
The Commission V O T E D: to accept the highest qualified bid, that of Conkey & Sons Logging, of $2,717.00; to purchase approximately 113,045 board feet of sawlogs on Timber Sale No. 574A - Quabbin Reservoir Watershed; Conkey & Sons Logging will also provide five 14' steel gates valued at $4,000.00, which is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the second qualified bid that Curtis Forest Products, of $2,568.20; to purchase approximately 90,065 board feet of sawlogs and 97 cords of firewood on Timber Sale No. 580 - Quabbin Reservoir Watershed; Curtis Forest Products will also provide three 14' steel gates valued at $2,400.00 and 5 rolls (500 sq.yds.) of Mirafi 600 x geotextile valued at $3,000.00, which are considered partial payment for the sawlogs and cordwood.
The Commission further V O T E D: to accept the highest qualified bid, that of Conkey & Sons Logging, of $661.88: to purchase approximately 70,205 board feet of sawlogs and 34 cords of firewood on Timber Sale No. 582 - Quabbin Reservoir Watershed; Conkey & Sons Logging will also provide two rolls (36" x 150') of petroleum absorbing cloth valued at $250.00; two boxes of petroleum absorbing pads (50 pads per box - (3'x 3') valued at $250.00; and Aluminum bituminous coated pipe as follows: two 20'x 36" 12 guage, one 36" 12 guage coupling, two 20'x 48" 12 guage, one 48" 12 guage coupling, five 20'x 12" 16 guage steel spiral

pipe valued at $2471.79, which is considered partial payment for the sawlogs and cordwood.
The Commission further V O T E D: to accept the highest qualified bid, that of Hutchinson & Son Logging, of $3,600.00; to purchase approximately 48,770 board feet of sawlogs and 33 cords of firewood on Timber Sale No. 584 - Quabbin Reservoir Watershed; Hutchinson and Son Logging will also provide three 14' steel gates valued at $2,400.00, which is considered partial payment for the sawlogs and cordwood.
The Commission further V O T E D: to accept the only qualified bid, that of Hutchinson & Son Logging, of $2,760.00; to purchase approximately 48,495 board feet of sawlogs on Timber Sale No. 584 - Quabbin Reservoir Watershed; Hutchinson & Son Logging will also provide 35 20' x 15" 16 guage galvanized steel culverts valued at $5,040.00, and two rolls (500 sq.yds) of Mirafi 600 x geotextile valued at $1,200.00, which is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of Robinson Forest Products, of $1,818.15; to purchase approximately 48,475 board feet of sawlogs and 739 tons of pulp on Timber Sale No. 175 - Ware River Watershed; Robinson Forest Products will also treat 3,000 red pine stumps with borax powder, valued at $475.00 and prune 357 white pine trees to 17', valued at $1,517.25, which is considered partial payment for the sawlogs and pulp wood.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Rodrigues, March 23, submitting for approval 1990 Spring/Summer/Fall Schedules and fees, as dictated by the Secretary of Administration, for Recreational Facilities of the Commission.
Associate Commissioner Whelan noting that in the Golf Course - Annual Memberships Section of Mr. Rodrigues recommendation - it notes that 5 Day - Senior Citizen memberships are $100.00. He questioned what age qualified an individual for Senior Citizen Rates. Mr. Rodrigues stated that to be eligible an individual must be 65 years of age or over.
On motion of Associate Commissioner Whelan, the Commission V O T E D: to include in the 1990 Spring/Summer/Fall Schedule and Fees for Recreational Facilities of the Commission, in the Golf Course Section of Annual Memberships rates, that Senior Citizens are those individual 65 years of age or over.
The Commission further V O T E D: to approve the following Spring/ Summer/Fall Schedules and fees, as dictated by the Secretary of Administration, for Recreational Facilities of the Commission:

GOLF COURSES
April 15, 1990 - November 30, 1990

Fees	
Locker	- $ 35.00
Tournaments	- $ 35.00
League Registration (Reserved Tee-Off Time for Season)	- $ 50.00
Annual Memberships (Good for all Courses)	
7 Day - Adult	- $275.00
5 Day - Adult (Monday-Friday, Excludes Holidays)	- $225.00
5 Day - Senior Citizen-65 years of age and over	- $100.00
5 Day - Junior	
16 Years Old and Under	- $ 95.00
Summer (Monday-Friday, June 16-September 9)	- $ 70.00
Daily Greens Fees	
Saturdays, Sundays & Holidays	- $ 10.00
Monday-Friday	
Twilight	- $ 5.00
Adult	- $ 10.00
Junior - 16 Years Old and Under	- $ 5.00
Senior Citizen	- $ 4.00

BALLFIELDS
April 15, 1990 - October 20, 1990

Hours
Lighted Fields - 8:00 A.M. - 11:00 P.M.
Non-Lighted Fields - 8:00 A.M. - 8:00 P.M.
Fees (Per 2-Hour Session)
Lighted Fields - $ 25.00*
Non-Lighted Fields - $ 6.00*
*These fees shall be assessed on all groups using any type of athletic field (with the exception of stadia) except municipally sponsored and youth groups who shall pay 50% of the above fees. Youth groups shall include, but not be limited to, Little League, Babe Ruth, CYO, Pop Warner, Junior High and High Schools.
STADIA (Dilboy, Hormel, Daly)
Rental, First 5 Hours - $175.00
Each Additional Hour - $ 30.00
1-Day Concession Permit - $ 50.00
BEACHES
June 24, 1990 - September 3, 1990
POOLS
June 24, 1990 - September 3, 1990
Swim Instruction (11:00 A.M. - 12:00 Noon - Weekdays)
Public Swimming Hours
Monday-Friday - 12:00 Noon-5:00 P.M. All ages
Monday-Friday - 5:00 P.M.-7:00 P.M. Adult & Special Programs
Saturday & Sunday - 10:00 A.M.-6:00 P.M.
14 Years Old and Under - $ .50
15 Years Old and Older - $ 1.00
HATCH SHELL
April 22, 1990 - July 22, 1990
SAILING (HARRY McDONOUGH SAILING PROGRAM/PLEASURE BAY/SOUTH BOSTON)
June 17, 1990 - September 3, 1990
7 Days A Week - 10:00 A.M. - Sunset
MYSTIC RIVER/BLESSING OF THE BAY/SOMERVILLE
June 24, 1990 - September 3, 1990 - 10:00 A.M.-6:00 P.M.
PICNIC AREA PERMIT - $ 7.00.

Action was taken upon the following matter relating to the MetroParks Zoos:

1. Report of Dr. Goldstein, March 16, requesting approval to contract with the Massachusetts Bay Transportation Authority to provide shuttle service between the Morton Street Parking Lot and the Franklin Park Zoo, for the period April 7, 1990 through June 30, 1990 on weekends, during specified hours. Estimated cost - $45,985.00. Funding provided through MetroParks Zoos retained revenue Account No. 2443-0001.
Dr. Goldstein explained that he has spoken with officials of the MBTA concerning this matter and expects further information within a few days.
At this point, on a motion by Associate Commissioner Scandrett, the Commission V O T E D: to authorize the Commissioner to investigate and take any necessary preliminary steps needed to enter into a temporary Inter-Agency Agreement with the MBTA leading to shuttle service between the Morton Street Parking Lot and the Franklin Park Zoo.
The Commission further V O T E D: to Hold Over pending receipt of further information.

Action was taken upon the following matter relating to the Office Managment Information Systems:

2. Report of Mr. Ifrah, March 23, requesting approval to enter into a renewal Contract-Agreement with William D. Sheehan for services as Personal Computer Network Administrator. Total Compensation will remain at $35,496.40. Time for Performance will be April 14, 1990 to April 13, 1991. Account No. 2440-0010.
The Commission V O T E D: Approved as requested by Mr. Ifrah in his report of March 23, 1990.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mrs. Anderson, March 22, requesting that the Commission

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approve an extension of time from June 30, 1989 to June 30, 1990, on Contract-Agreement with Joseph A. Trainor, for the Development and Implementation of a Plan for Enhancing the MDC's Real Property Acquisition Procedures.
(At no additional cost to the Commission).
The Commission V O T E D: Held Over for further review by the Commissioner in consultation with staff.

Action was taken upon the following matter relating to the Police Division:

1. Report of Superintendent Bratton, March 23, requesting approval of a Memorandum of Agreement for Towing Services with Penta Auto Body (D/B/A Perfection Towing) and Stanley Tow Company.
Deputy Superintendent White explained that a mutually satisfactory agreement has been reached with Penta Auto Body (D/B/A Perfection Towing), and Stanley Tow Company and the Police Division concerning reinstatement of Penta Auto Body in a modified capacity.
Attorney Salvatore Ciccarielli, representing Penta Auto Body, stated that his client was pleased with the terms of the reinstatement.
Attorney William Farrell, representing Stanley Tow Company, stated that his client has agreed to all terms and conditions of the new Memorandum of Agreement.
In response to a question by Commissioner Bhatti and Associate Commissioner Jones, Ms. Mayoue stated that she had written the Memorandum of Agreement following consultation with Attorneys Farrell and Ciccarielli and review by Deputy Superintendent White.
She then noted that the purpose of the Memorandum of Agreement is to delineate the duties and responsibilities of the parties for an alternating day schedule in certain tow areas, and to create a document consistent with the Police Division's proposal to the Commission of March 10, 1990.
Ms. Mayoue then recommended that if the Commission approves the Memorandum of Agreement with Penta Auto Body and Stanley Tow Company that the vote be recorded as follows:
   1. To reinstate Penta Auto Body as a towing contractor, in accordance with the Standard Agreement for the Towing and Storing of Motor Vehicles, dated April 13, 1989, and incorporate therein by reference the Memorandum of Agreement made in March of 1990: and
   2. To modify its Agreement with Stanley Tow Company, dated April 13, 1989, and amended by vote of the Commission, dated September 28, 1989, by incorporating therein the Memorandum of Agreement made in March of 1990.

The Commission V O T E D: Approved as recommended by Superintendent Bratton and outlined by Ms. Mayoue.
Following the Commission vote, Associate Commissioner Jones requested that Ms. Mayoue provide for the files of the Secretary's Office a memo outlining her recommendations.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from March 5, 1990 to March 12, 1990.

Expenditures	$251,751.33
Summer Youth	$ 465.75

Adjourned at 12:20 p.m. to meet on Thursday, April 5, 1990 at 10:00 a.m.

William F. Caulfield
Secretary

Record of the Three Thousand Five Hundred and Twenty Second (3522nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 5, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on March 22, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement, dated April 5, 1990, with C. T. Male Associates, P. C., for Quabbin Reservoir Land Survey Services (Unidentified Parcels).

2. Contract-Agreement, dated April 5, 1990, with Greenman - Pederson, Inc., for Wachusett Reservoir Land Survey Services (Unidentified Parcels).

3. Second Amendment, dated April 5, 1990, to Contract-Agreement with Jayne E. Brady for Transportation Project Coordinator Services.

4. Contract-Agreement, dated April 5, 1990, with William D. Sheehan, for Services as a Personal Computer Network Administrator.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher and Lenhardt, March 29, on bids for Repairs to Monsignor William J. Casey Overpass, Boston, Contract No. P84-1276-C7A. Account No. 2490-8881.
(Messrs. Faucher and Lenhardt recommend acceptance of the low bid, that of The Modern Continental Construction Company of $4,556,622.00).
Associate Commissioner Jones noting that cracks have appeared on the sidewalk portion of the Harvard Bridge reconstruction project, questioned if the problem was caused by faulty design, normal shrinkage or poor workmanship by The Modern Continental Construction Company, the project Contractor.
Mr. Lespasio stated that cracks occur occasionally on new sidewalks due to shrinkage. If necessary, he explained, the sidewalks are either repaired with epoxy or replaced in their entirety depending on the severity of the cracks.
Associate Commissioner Jones requested that the award of the Monsignor William J. Casey Overpass repair contract be held over pending submittal of a letter from the Massachusetts Department of Public Works outlining the reasons for the cracks on the Harvard Bridge replacement contract and steps which will be taken to correct the problem.
The Commission V O T E D: Held Over.

6. Report of Messrs. Faucher and O'Connor, March 15, recommending the following on Contract No. P82-1047-C1A, with J. F. White Contracting Company, for Rehabilitation of the General Edwards Bridge -
<u>Revision in Quantities</u>
Item No. 29 - Cement Concrete Masonry - $13,000.00
<u>Extra Work Claim No. 11</u>
Removal of Rivets, Drilling New Holes and Installing High Strength Bolts - $21,541.56
<u>Extra Work Claim No. 12</u>
Additional Work for the Installation of 1/4" Lexan in the Tower Window (top level) - $ 8,177.54
(There are sufficient unused quantities in other items which will offset the increases).
The Commission V O T E D: to approve the revision in quantities as recommended by Messrs. Faucher and O'Connor in their report of March 15, 1990.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and

approve Extra Work Claim No. 11, in the amount of $21,541.56.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 12, in the amount of $8,177.54.

1. Report of Messrs. Faucher and Semonelli, March 20, recommending the following on Contract No. P87-1425-C2A, with William P. Capone Corp., for Repairing and Replacing Bituminous and Cement Concrete Sidewalks in Various Areas -
(a) That work be accepted as complete as of November 30, 1989.
(b) That Estimate No. 9 (Final), in the amount of $52,081.42, be approved for payment.
(c) That reserve, in the amount of $5,285.71, be approved for payment.
(Basis of Award - $982,150.00)
(Total to Date - $945,714.14)
(Contract Administration Rating - 4.57)
(EEO Compliance - 5.00)
The Commission V O T E D: that the work of William P. Capone Corp., Contractor under Contract No. P87-1425-C2A, for Repairing and Replacing Bituminous and Cement Concrete Sidewalks in Various Areas, be and hereby is accepted as completed as of November 30, 1989.
The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of $52,081.42, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,285.71, for payment.

2. Report of Messrs. Faucher and Chan, March 29, on bids for Asbestos Abatement at Various MDC Facilities, Contract No. P88-1511-C2A. Total estimated contract value has been established at $200,000.00. Account No. 2440-7878.
(Messrs. Faucher and Chan recommend acceptance of the low bid, that of Clear Air Control Corp., with a multiplier factor of 0.997).
The Commission V O T E D: to accept the lowest bid, that of Clear Air Control Corp., with a multiplier factor of 0.997.

3. Report of Messrs. Faucher and Mayhew, March 29, on bids for Rehabilitation of the Louis E. Porrazzo and Rev. Romano Simoni Ice Skating Rinks, East Boston - Cambridge, Contract No. P86-1393-C3A. Account Nos. 2440-7870, 2440-9879, 2440-9883, 2440-8841 and 2440-7878.
(Messrs. Faucher and Mayhew recommend acceptance of the low bid, that of Bay State Contracting Co., Inc. of $2,109,000.00).
The Commission V O T E D: to accept the lowest bid, that of Bay State Contracting Co., Inc., of $2,109,000.00.

4. Report of Messrs. Faucher and DiPietro, March 30, requesting approval be given to the Office of Real Property to solicit cost proposals for Appraisers and Title Examiners in Conjunction with the Army Corp of Engineers' Town Brook Flood Control Project No. P82-0A02, Quincy, Massachusetts. Estimated Cost - $50,000.00. Account No. 2440-8840.
Associate Commissioner Jones, noting that this project will be requiring appraisers and title examiners, questioned if Mrs. Anderson had any input in the request.
Mrs. Anderson stated that she has been working very closely with the Division on this matter.
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Chan, March 27, recommending approval of an extension of time from October 20, 1989 to June 15, 1990, on Contract No. P78-0668-C1A, with R. J. Delmonico, for Reconstruction of Connell Field, due to inclement weather last fall resulting in delay of seeding operation.
(At no additional cost to the Commission).
The Commission V O T E D: to approve an extension of time, from October 20, 1989 to June 15, 1990, as recommended by Messrs. Faucher and Chan in their report of March 27, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Managment Divison:

1. Report of Mr. McGinn, March 28, recommending approval of an Amendment for an extension of time from June 30, 1990 to June 30, 1991, on Contract-Agreement No. WM90-001-X1A, with Lycott Environmental Research, Inc., for Laboratory Services, due to unanticipated delays in processing the Contract.
(At no additional cost to the Commission).
The Commission V O T E D: Approved as recommended by Mr. McGinn in his report of March 28, 1990.

2. Report of Mr. McGinn, April 2, recommending approval of Quabbin Fishing Area Operations Plan for the 1990 Season, as follows -
(a) that the fishing season shall run from Saturday, April 21 through Sunday, October 14, 1990, inclusive;
(b) that Fishing Area 2 (Gate 31) will be open 7 days per week with no MDC motor rentals available. Access for private boats, shore fishing, and MDC rental boats will be available;
(c) that Areas 1 and 3 (Gate 8 and Gate 42, respectively) will be open 6 days per week (Area 1 will be closed on Tuesdays; Area 3 will be closed on Wednesdays). A limited number of MDC rental boats and rental motors will be available at Area 1 and 3. Access for private boats and shore fishing will be available;
(d) that privately owned motors in compliance with MDC rules regarding size and horsepower may be used on MDC rental boats. Persons utilizing privately owned motors are responsible for their own fuel and fuel containers.
The Commission V O T E D: Approved as recommended by Mr. McGinn in his report of April 2, 1990.

3. Report of Mr. McGinn, April 2, recommending that the request of Pioneer Valley Motorcycle Club to hold a motorcycle rally, to benefit the "Make-A-Wish Foundation", at Quabbin Park, on May 8, 1990, be denied.
The Commission V O T E D: to deny the request of Pioneer Valley Motorcycle Club to hold a motorcycle rally, to benefit the "Make-A-Wish Foundation", at Quabbin Park, on May 8, 1990, as recommended by Mr. McGinn.

Action was taken upon the following matter relating to the Office of Contract Administration:

4. Report of Mr. Jewett, February 28, submitting the recommendation of the Concession Selection Committee that the Commission rescind its vote of August 10, 1989 awarding a permit to WesCo Concessions, Inc., for the operation of a Gift Shop and Food Service Concession at Franklin Park and Stone Zoos for a three year period. Also a further request to authorize the Concession Selection Committee to advertise for new proposals.
The Commission V O T E D: Held Over.
Associate Commissioner Jones did not participate in discussion nor vote on this matter.

Action was taken upon the following matter relating to the Recreational Facilities and Programs:

5. Report of Mr. Rodrigues, March 30, concerning his recommendation for renewal of New England Pro Am Permit for the 1990 Season, subject to finalization of their 1989 Permit obligations.
Mr. William Hart representing the Recreational Facilities and Programs Division stated that the Division does not feel comfortable in renewing the permit with New England Pro Am for the 1990 Season. He cited a letter from the Commission's rink refrigeration contractor Lewis Refrigeration to Mr. Brooks, dated March 8, 1990, in which the firm stated that shutting down the rink for a few months and restarting it during the warm weather is not a wise move because of an excessive load on the refrigeration equipment and potential dehumidification problems. Stephen Gianelli, Vice President and General Manager of Lewis

Refrigeration Company, who was at the Commission meeting on another matter, stated that by continuing to use the rink without providing adequate time to allow the frost under the rink bed to melt could cause severe damage to the facilities concrete floor slab.
Mr. John McDonald, representing Dorchester Youth Hockey, expressed his concern with regards to possible damage to the concrete floor. He then registered his opposition to renewal of the New England Pro Am permit.
Associate Commissioner Scandrett stated that Mr. Gianelli's comments concerning possible damage to the concrete floor slab was reason enough to reject the permit renewal.
Associate Commissioner Jones, questioned Mr. Gianelli with regards to utilizing MDC rinks during the summer for other activities such as basketball, tennis, etc. He then asked if this type of activity could cause damage to the rinks concrete slab. Mr. Gianelli responded that the surface can handle this type of activity without damage.
At this point, Mr. Robert Murray, representing New England Pro Am, arrived at the meeting and asked that the item be held over pending further review by the Commission of the New England Pro Am request for Permit renewal.
He then stated that Mr. Robert O'Connell a principal officer of New England Pro Am was out of town and unable to attend todays meeting.
Associate Commissioner Scandrett noted that the matter was scheduled to be taken up at last weeks Commission meeting. However, it was postponed for a week at the request of New England Pro Am so that Mr. Murray could meet with and provide additional information for the Associate Commissioners.
Sean M. Morrissey, who was representing Representative James T. Brett at the Commission meeting, stated that the Representative was opposed to renewing the permit.
Stephen Cronin representing Senator Paul W. White stated that the Senator was also in opposition to permit renewal.
Commissioner Bhatti questioned if MDC rinks were designed for summer ice use. Mr. Brooks stated that the rinks are not insulated against outside weather and, therefore, they are not intended for Summer use.
Associate Commission Whelan stated we had input from MDC Recreation Dept., Lewis Refrigeration, New England Pro Am, Senator White, Representative Brett and the President of the Dorchester Youth Hockey Program, so that he as one member of the Commission, is now in a position to make a judgement based on the best interests of the MDC and the taxpayers of The Commonwealth of Massachusetts. He further stated that the Commission should act on the renewal permit at this meeting.
Commissioner Bhatti then asked if there is any indication that any damage was done to the rink or its refrigeration equipment by last years Summer use of the facility by the New England Pro Am program. Mr. Brooks stated that to the best of his knowledge no damage was experienced. Mr. Gianelli then stated that in his professional opinion if the Commission were to continue to allow the use of the Neponset Rink for this program, without an adequate shut down period for frost evaporation, we would eventually experience a frost heave to the concrete slab. He then stated that the rinks refrigeration system should be shut down for the same number of months that it is in operation.
At this point, Associate Commissioner Jones made a motion that on the basis of evidence provided, the Commission deny the request of New England Pro Am for Permit renewal for the 1990 Season. The motion was seconded by Associate Commissioner Scandrett and Approved by the Commission.
Associate Commissioner Jones further moved that if New England Pro Am requests relief from a portion of its contractual obligation to the Commission, that it submit a petition outlining in detail all data, dates, times and items it is requesting to have modified and if conversations were held with MDC personnel in which the modifications were originally discussed and approved, New England Pro Am so state in its petition.

Action was taken upon the following matter relating to the MetroParks Zoos:

1. Report of Dr. Goldstein, March 16, requesting approval to contract with the Massachusetts Bay Transportation Authority to

provide shuttle service between the Morton Street Parking Lot and the Franklin Park Zoo, for the period April 7, 1990 through June 30, 1990 on weekends, during specified hours. Estimated cost - $45,985.00. Funding provided through MetroParks Zoos retained revenue Account No. 2443-0001.
The Commission discussed the matter in detail and in particular the hardship created for visitors by not having a shuttle service available to and from the Morton Street Parking Lot and the Franklin Park Zoo.
Following a lengthy discussion, the Commission V O T E D: to contract with the MBTA for a temporary emergency shuttle bus Service, for the remainder of this Fiscal Year, between the Morton Street Parking Lot and the Franklin Park Zoo, on weekends during specified hours. Dr. Goldstein was directed to initiate the start of service when appropriate. Estimated cost will be $45,985.00 with funding provided through MetroParks Zoos retained revenue Account No. 2443-0001.
The Commission further V O T E D: to authorize the Commissioner and staff to move forward with the preparation and advertisement of a Request for Proposals for Fiscal Year 1991.
Associate Commissioner Whelan expressed concern regarding the legality of the temporary emergency service with the MBTA. Commissioner Bhatti asked Secretary Chisholm to review the matter with MDC Legal Counsel to insure that the service is in compliance with Federal Statutes.

Action was taken upon the following matter relating to the Office of Administrative and Industrial Standards:

1. Report of Mr. Traficante, March 30, requesting that the Commission amend Contract-Agreement No. P88-1511-X1A, with Briggs Associates Inc. for providing Asbestos Hygiene Services and Asbestos Project Monitoring, by extending time of performance from June 2, 1990 to June 30, 1990.
(At no additional cost to the Commission).
Associate Commissioner Whelan asked if the MDC had trained staff that could provide this service. Mr. Baratta stated that the service must be performed by an independent party.
The Commission V O T E D: Approved as requested by Mr. Traficante in his report of March 30, 1990.

Action was taken upon the following matter relating to the Office of Real Property:

2. Report of Mrs. Anderson, March 22, requesting that the Commission approve an extension of time from June 30, 1989 to June 30, 1990, on Contract-Agreement with Joseph A. Trainor, for the Development and Implementation of a Plan for Enhancing the MDC's Real Property Acquisition Procedures.
(At no additional cost to the Commission).
Commissioner Bhatti explained that he is satisfied with work done to date by Mr. Trainor's firm.
Mr. Jewett stated that by approving the extension of time, Mr. Trainor will be able to complete the Contract-Agreement and submit the finished report to the Commission.
Mrs. Anderson then noted that Mr. Trainor has not yet received any payment from the Commission. By approving the extension, she explained, we will be able to make a partial payment for the work. However, Mrs. Anderson explained final payment for the project must be approved by the Commission.
The Commission V O T E D: Approved as requested by Mrs. Anderson in her report of March 22, 1990.

The following matter was placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from March 12, 1990 to March 19, 1990.

Expenditures	$443,720.09
Summer Youth	$ 438.02

Adjourned at 1:15 p.m. to meet on Thursday, April 12, 1990 at 10:00 a.m.

William F. Chisholm
Secretary

Record of the Three Thousand Five Hundred and Twenty Third (3523rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 12, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on March 29, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Management Agreement, dated April 12, 1990, with Community Boating, Inc., for Operation of a Public Sailing and Boating Program in the Charles River Basin.

2. Contract No. P82-1079-C1A, dated April 12, 1990, with Linden Construction, for Repair of Seawall and Restoration of Pavilions and Bandstand, Revere Beach Reservation.

3. Contract-Agreement, dated April 12, 1990, with Merrimack Engineering Services, Inc., for Wachusett Reservoir Land Survey Services (Identified Parcels).

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Lenhardt, March 29, on bids for Repairs to Monsignor William J. Casey Overpass, Boston, Contract No. P84-1276-C7A. Account No. 2490-8881.
(Messrs. Faucher and Lenhardt recommend acceptance of the low bid, that of The Modern Continental Construction Company of $4,556,622.00).
The Commission reviewed a letter from the Massachusetts Department of Public Works (DPW), requested by Associate Commissioner Jones at the Commission meeting of April 12, concerning sidewalk cracks which surfaced on the Harvard Bridge reconstruction project which is being carried out by The Modern Continental Construction Company. The letter indicated that Modern Continental's workmanship was not the reason for the sidewalk cracks.
Associate Commissioner Jones stated that he was satisfied with the information provided. He then requested that a copy of the DPW letter be placed in the permanent files of the Secretary's Office.
Associate Commissioner Whelan questioned who will be responsible for any additional costs associated with the sidewalk repairs or replacement. Mr. Lespasio stated that he will confer with DPW and try to have an answer for Associate Commissioner Whelan prior to the Commission meeting of April 19.
The Commission V O T E D: to accept the lowest bid, that of Modern Continental Construction Company, of $4,556,622.00.

5. Report of Messrs. Faucher and Machado, March 30, recommending approval of Revision in Quantities on -
Item No. 69 - 8' Chain Link Fence - $30,580.00
Item No. 73 - 12' Chain Link Fence - $18,200.00
on Contract No. P87-1466-C1A, with USX Corp. (Cyclone Fence), for Installation of Closure Gates, Guardrail and Fences at Various Locations.
(The cost of revisions will be offset by unused quantities in other items).
Associate Commissioner Jones requested that Mr. Faucher confer with Mr. McGinn of the Watershed Management Division to determine if any additional fencing will be needed at Quabbin Reservation, as a result of State financial problems leading to the closure of some Watershed areas to the public. If so, he suggested the Divisions investigate the possibility of including those areas into the fencing Contract for health and safety reasons.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado in their report of March 30, 1990.

1. Report of Messrs. Faucher and Carrigan, April 4, on bids for Resurfacing MDC Parkways, Various Locations, Contract No. P84-1315-C6A. Account No. 2490-8881.
(Messrs. Faucher and Carrigan recommend acceptance of the low bid, that of Trimount Bituminous Products Co., of $1,253,993.50).
The Commission V O T E D: to accept the lowest bid, that of Trimount Bituminous Products Co., of $1,253,993.50.

2. Report of Messrs. Faucher and DeLuca, April 6, on bids for Servicing Filtration and Sterilization Systems for Swimming Pools within the Metropolitan Park System, Contract No. P90-1582-M1A. Account No. 2440-0010-12.
(Messrs. Faucher and DeLuca recommend acceptance of the low bid, that of Puraqua Pool Service, Inc., of $331,530.00).
The Commission V O T E D: to accept the lowest bid, that of Puraqua Pool Service, Inc., of $331,530.00.

3. Report of Messrs. Faucher and Lespasio, April 4, on bids for Repairing/Replacing Bituminous/Concrete Sidewalks, Various Locations, Contract No. P87-1425-C3A. Account No. 2490-8881.
(Messrs. Faucher and Lespasio recommend acceptance of the low bid, that of D & R General Contracting, Inc., of $316,910.20).
The Commission V O T E D: to accept the lowest bid, that of D & R General Contracting, Inc., of $316,910.20.

4. Report of Messrs. Faucher and Okeke, March 30, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1584-C1A, Testing and Installation of Permanent Ground Well System at Trailside Museum, Milton. Estimated Cost $20,000.00. Account No. 2440-0012.
Associate Commissioner O'Malley requested that the Public Information Office prepare and distribute a Press Release concerning this project. She noted that this is another example of water conservation being taken by the Commission.
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Lespasio, April 11, requesting that the Commission amend its vote of March 1, 1990 which extended the Contract-Agreement with Jayne E. Brady, for Transportation and Project Coordinating Services, from April 16, 1990 to June 30, 1990, to reflect a new completion date of May 15, 1990 with compensation not to exceed $2,665.57, due to budgetary constraints. Account No. 2490-0010.
Mr. Lespasio explained that the prior vote must be revised because the Budget Bureau has advised the Commission that extension must terminate no later than May 15, 1990, due to budgetary constraints.
The Commission then spoke of the outstanding work of Ms. Brady and in particular her performance as Transportation Project Coordinator for the Lynnway Project.
The Commission then spoke of the need for an individual to perform informational services on the many bridge reconstruction and roadway resurfacing projects which will be getting underway in the near future.
Commissioner Bhatti then stated that he would send a letter to the Secretary of Administration and Finance citing the need to continue Ms. Brady's Contract-Agreement.
The Commission V O T E D: to amend its vote of March 1, 1990 to extend the Contract-Agreement with Jayne E. Brady from April 16, 1990 to June 30, 1990 to read April 16, 1990 to May 15, 1990 at compensation not to exceed $2,665.57.

Action was taken upon the following matter relating to the Office of Landscape Architect:

6. Report of Mr. Jackson, April 3, submitting for approval Project Summary, Work Schedule and Project Justification and requesting permission to advertise Project No. P86-1406-C4A, Cherry Tree Planting, Charles River Reservation. Estimated Cost $10,000.00. Account No. 2448-0000.
(Funds for the purchase of 30 Cherry Trees given to the Commonwealth as a gift from the Government of Japan).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of Contract Administration:

1. Report of Mr. Jewett, February 28, submitting the recommendation of the Concession Selection Committee that the Commission rescind its vote of August 10, 1989 awarding a permit to WesCo Concessions, Inc., for the operation of a Gift Shop and Food Service Concession at Franklin Park and Stone Zoos for a three year period. Also a further request to authorize the Concession Selection Committee to advertise for new proposals.
On motion of Associate Commissioner Scandrett, the Commission V O T E D: to Delete the item from the Agenda.
On further motion by Associate Commissioner Scandrett, the Commission V O T E D: to authorize the Commissioner in conjunction with the Contract Administrator, to move as soon as possible on establishing a temporary or emergency concession operation at the Franklin Park and Walter D. Stone Memorial Zoo.

2. Report of Mr. Jewett, April 9, submitting for approval and signature Contract-Agreements with Nelson & O'Connell Title Company, Inc., with a contract value of $2,447.50 and Sullivan, McDermott & Hogan, with a contract value of $4,050.00, for Professional Real Estate Title Examination work. Work to be completed by June 30, 1990. Account No. 2420-9883.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreements, dated April 12, 1990, with Nelson & O'Connell Title Company, Inc., and Sullivan, McDermott & Hogan, for Professional Real Estate Title Examination work, which were signed by the Commissioner and four Associate Commissioners.

3. Report of Mr. Jewett, April 10, submitting for approval and execution First Amendment to the Real Estate Appraisal Services Contract with Abigail Burns, which calls for increasing services on two parcels of land at an additional cost of $2,000.00 per parcel. Account No. 2420-9883.
The Commission V O T E D: Approved.
Associate Commissioner O'Malley did not participate in discussion nor vote on this matter.
The Secretary then submitted for signature the First Amendment, dated April 12, 1990, to the Real Estate Appraisal Services Contract-Agreement with Abigail Burns, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Watershed Managment Division:

4. Report of Messrs. McGinn and O'Connor, March 15, on proposals for the purchase of forest products located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of Wood Express, of $532.00; to purchase approximately 83 cords of cordwood on Roadside Sale No. 28 Quabbin Reservoir Watershed; Wood Express will also provide the following: (1) Purchase & plant 1,000 12-18" Northern Red Oak seedlings, at areas within Quabbin designated by the MDC Forester, (2) purchase 3,000 - 2 yr. Red Pine seedlings, to be delivered to MDC New Salem office, and (3) purchase and plant 1,000 3 yr. Norway Spruce seedlings, at areas within Quabbin designated by the MDC Forester, valued at $1543.00, which are considered partial payment for the cordwood.
The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of $244.00; to purchase approximately 14 cords of cordwood on Roadside Sale No. 29 - Quabbin Reservoir Watershed; Conkey Logging & Lumber will also purchase 2,000 - 3 yr. White Spruce seedlings, to be delivered to MDC New Salem office, valued at $260.00, which is considered partial payment for the cordwood.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Lumber Co., of $1,087.93; to purchase approximately 40,500 board feet of sawlogs on Roadside Sale No. 30 - Quabbin Reservoir Watershed; Hubbard Lumber Co., will also provide a Rotobec Grapple, model 6140, delivered to the MDC New Salem office, valued at $4670.00, which is considered partial

payment for the sawlogs.
The Commission V O T E D: to accept the highest qualified bid, that of Hubbard Lumber Co., of $736.43; to purchase approximately 16,430 board feet of sawlogs on Roadside Sale No. 31 - Quabbin Reservoir Watershed; Hubbard Lumber will also purchase 35 tons of agricultural limestone, bulk spread at sites in Quabbin, designated by MDC Forester and purchase 15 - 56 pound bags of rye seed, to be delivered to the MDC New Salem office, valued at $1,365.00, which are considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of John Conkey & Sons Logging, of $709.60; to purchase approximately 18,860 board feet of sawlogs on Roadside Sale No. 32 - Quabbin Reservoir Watershed; John Conkey & Sons Logging will also purchase 35 tons of agricultural limestone, bulk spread at sites in Quabbin, designated by MDC Forester and purchase 15 - 56 pound bags of rye seed, to be delivered to the MDC New Salem office, valued at $1,365.00, which are considered partial payment for the sawlogs.

1. Report of Mr. McGinn, April 4, submitting for Commission approval fee schedule for the 1990 fishing season at Quabbin Reservoir, as dictated by Administration and Finance in 801 CMR 4.00.
Also submitting for approval senior citizen rates (65 years and over) Monday through Friday. These senior rates were not set by Administration and Finance.
The Commission V O T E D: to approve the following fee schedule for the 1990 fishing season at Quabbin Reservoir, as dictated by Administration and Finance in 801 CMR 4.00 -

1990 FEES - (unchanged from 1989)

Boat Rentals	(per hour)	$ 1.00
	Minimum	2.00
	Maximum	7.00
	Deposit	7.00
Motor & Gas	(per hour)	$ 2.00
	Minimum	8.00
	Maximum	20.00
	Deposit	20.00
Boat, Motor, & Gas	(per hour)	$ 3.00
	Minimum	10.00
	Maximum	27.00
	Deposit	27.00
Private Boat Ramp	(per person)	$ 2.00
Parking	(per vehicle)	$ 4.00
Parking	(per person)	-----

The Commission further V O T E D: to approve the following senior citizen rates (65 years and over) Monday through Friday, as recommended by Mr. McGinn in his report of April 4, 1990 -

1990 SENIOR CITIZENS FEES

Boat Rentals	(per hour)	$ .50
	Minimum	.50
	Maximum	2.50
Motor & Gas	(per hour)	$ 1.00
	Minimum	3.00
	Maximum	7.50
Boat, Motor, & Gas	(per hour)	$ 1.50
	Minimum	3.00
	Maximum	10.00
Private Boat Ramp	(per person)	$ 1.00
Parking	(per vehicle)	$ 2.00
Parking	(per person)	-----.

Action was taken upon the following matters relating to the Office of Planning:

2. Report of Mrs. O'Brien, April 6, requesting that the Commission rescind its vote of February 15, 1990, approving renewal of Contract-Agreements with Daniel Driscoll, Karl T. Haglund, John S. O. Krajovic, Joseph R. Orfant and David T. Queeley for Planning Services Pursuant to Land Acquisition and Master Planning, in compliance with Administrative Bulletin 88-1. (Administrative Bulletin 88-1 requires that these five Contract-Agreements be readvertised).
The Commission V O T E D: to rescind its vote of February 15,

1990, approving renewal of Contract-Agreements with Daniel Driscoll, Karl T. Haglund, John S. O. Krajovic, Joseph R. Orfant and David T. Queeley for Planning Services Pursuant to Land Acquisition and Master Planning, in compliance with Administrative Bulletin 88-1.

1. Report of Mrs. O'Brien, April 9, requesting approval of Contract-Agreements with Daniel Driscoll, Karl T. Haglund, John S. O. Krajovic, Joseph R. Orfant and David Queeley, for Planning Services Pursuant to Land Acquisition and Master Planning, as follows:

1. Contract-Agreement with Daniel Driscoll - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
2. Contract-Agreement with Karl T. Haglund - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
3. Contract-Agreement with John S. O. Krajovic - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
4. Contract-Agreement with Joseph R. Orfant - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
5. Contract-Agreement with David T. Queeley - Total Upset Limit, including $400.00 in expenses, $36,972.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.

The Commission V O T E D: Held over pending further clarification by Mrs. O'Brien of the process used in the selection of the five individuals who will perform the services called for under terms of the Contract-Agreements.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from March 19, 1990 to March 26, 1990.

Expenditures	$627,682.13
Summer Youth	$ 496.23

Adjourned at 1:00 p.m. to meet on Thursday, April 19, 1990 at 10:00 a.m.

William F. Clarke
Secretary

Record of the Three Thousand Five Hundred and Twenty Fourth (3524th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 19, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on April 5, 1990 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P84-1276-C7A, dated April 19, 1990, with The Modern Continental Construction Co., Inc., for Repairs to the Monsignor William J. Casey Overpass, Boston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Abounaja, April 11, on bids for Handicap Access for MDC Headquarters Building, Contract No. P87-1475-C1A. Account No. 2440-9881.
(Messrs. Faucher and Abounaja recommend acceptance of the low bid, that of Sciaba Construction Corp., of $52,200.00).
The Commission V O T E D: to accept the lowest bid, that of Sciaba Construction Corp., of $52,200.00.

3. Report of Messrs. Faucher and Lenhardt, April 11, on bids for Bridge Deck Replacement, General E. Leroy Sweetser Bridges, Everett, Massachusetts, Contract No. P84-1276-C3A.
Account No. 2490-8881.
(Messrs. Faucher and Lenhardt recommend acceptance of the low bid, that of John Mahoney Construction Co., Inc., and Whittier Equipment Corp., Joint Venture, of $1,097,585.00).
The Commission V O T E D: to accept the lowest bid, that of John Mahoney Construction Co., Inc., and Whittier Equipment Corp., Joint Venture, of $1,097,585.00.

4. Report of Messrs. Faucher and Chan, April 11, on bids for Rehabilitation of Filter Systems at the Connor Memorial Pool, Waltham, Contract No. P90-1575-C1A. Account No. 2440-7885.
(Messrs. Faucher and Chan recommend acceptance of the low bid, that of Allied Weatherproofing Co., Inc., of $209,270.00).
The Commission V O T E D: to accept the lowest bid, that of Allied Weatherproofing Co., Inc., of $209,270.00.

5. Report of Messrs. Faucher and Giella, April 12, recommending the following on Contract No. P89-1557-C1A, with CCM Corporation, for Replacement of Doors at the Aviary, Stone Zoo, Stoneham -
(a) That work be accepted as complete as of November 24, 1989.
(b) That Estimate No. 2 (Final), in the amount of $16,626.58, be approved for payment.
(c) That reserve, in the amount of $1,401.42, be approved for payment.
(Basis of Award - $28,028.00)
(Total to Date - $28,028.00)
(Contract Administration Rating - 3.00)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of CCM Corporation, Contractor under Contract No. P89-1557-C1A, for Replacement of Doors at the Aviary, Stone Zoo, Stoneham, be and hereby is accepted as completed as of November 24, 1989.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $16,626.58, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,401.42, for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

6. Report of Mr. McGinn, April 12, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1687, conveying

Northwesterly 1/4 of Lot No. 1245, to Joseph E. Pellissier.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1687, dated April 19, 1990, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Mr. McGinn and Ms. Austin, April 10, requesting approval to accept 319 (h) Nonpoint Source Grant from the Department of Environmental Protection, Division of Water Pollution Control, for rehabilitation of the Sterling Filter Beds in the total sum of $21,000.00 with the Commission responsible for an in-kind match of $8,400.00. Account to be determined. Time for Performance will be 18 months from start of the project.
The Commission V O T E D: Approved as requested by Mr. and Ms. Austin in their report of April 10, 1990.

2. Report of Messrs. McGinn and Kane, April 12, on bids for Fabrication and Installation of Closure Gates, Contract No. WM88-052-C1A. Account No. 2440-7882.
(Messrs. McGinn and Kane recommend acceptance of the low bid, that of City Fence & Iron Works, Inc., of $173,490.00).
The Commission V O T E D: to accept the lowest bid, that of City Fence & Iron Works, Inc., of $173,490.00.

Action was taken upon the following matter relating to the Office of Contract Administration:

3. Report of Mr. Jewett, April 11, submitting for approval and execution First Amendment to Real Estate Title Examiner Services Contract with Sullivan, McDermott and Hogan, which calls for adding a Title Examination Service to the Schedule of Examinations previously authorized for this Consultant, at an additional cost of $750.00. Account No. 2420-9883.
The Commission V O T E D: Approved.
The Secretary then submitted for signature First Amendment, dated April 19, 1990, to Real Estate Title Examiner Services Contract with Sullivan, McDermott and Hogan, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

4. Report of Mrs. O'Brien, April 9, requesting approval of Contract-Agreements with Daniel Driscoll, Karl T. Haglund, John S. O. Krajovic, Joseph R. Orfant and David Queeley, for Planning Services Pursuant to Land Acquisition and Master Planning, as follows:
   1. Contract-Agreement with Daniel Driscoll - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
   2. Contract-Agreement with Karl T. Haglund - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
   3. Contract-Agreement with John S. O. Krajovic - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
   4. Contract-Agreement with Joseph R. Orfant - Total Upset Limit, including $400.00 in expenses, $41,496.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.
   5. Contract-Agreement with David T. Queeley - Total Upset Limit, including $400.00 in expenses, $36,972.00; Account No. 2441-9886; Time for Performance - one year from Notice to Proceed.

(In compliance with Administrative Bulletin 88-1, these five Contracts were readvertised and following interviews with all applicants, the aforementioned are being recommended for selection by the Commission).
Mrs. O'Brien further clarified the process used by a Selection Committee consisting of herself, Mr. Jewett, and Mr. Kelter, in

the selection of the five individuals being recommended to the Commission to perform Planning Services and Master Planning called for under terms of the Contract-Agreements.
The Commission then reviewed the Chronology of events, as prepared by Mr. Jewett, leading to the recommendation to engage the services of the aforementioned individuals. (A copy of the Chronology is on file in the Secretary's Office.) Alan Jewett stated that the process used was in complete compliance with all pertinent laws involving the hiring of Consultants.
At this point, John Gatti, Legislative Chairperson for the Massachusetts Organization of the State Engineers and Scientists (MOSES), spoke in opposition to renewing the Contract-Agreements with Messrs. Driscoll, Haglund, Krajovic, Orfant and Queeley. He stated that the money being used for these Consultant positions could be better used to insure the continued employment of MDC employees who might be laid-off due to fiscal problems.
Commissioner Bhatti once again stated that over the past several years, the Commission has attempted to convert these positions form 03's to 02's without success. However, he noted, he will continue to seek Administration and Finance and Legislative approval to convert these positions to 02 employee slots.
Commissioner Bhatti then invited officers of MOSES to join with the Commission in an effort to convert the Consultant positions to permanent positions.
Commissioner Bhatti then noted that these Planners are involved in preliminary work which has led to, and will continue to lead to, construction contracts which will be supervised by members of MOSES.
Associate Commissioner Jones moved that the item be approved with the stipulation that MOSES be invited to assist the Commission in attempting to convert the positions from 03's to 02's.
The Commission V O T E D: Approved.
The Secretary then submitted the five Contract-Agreements which were signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Scandrett abstained from voting or signing the Contract-Agreements citing his need for additional information.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Rodrigues, April 13, recommending that the Commission extend the current Agreement with Golf Pros Mike Wortis of the Leo J. Martin Memorial Golf Course and Jack Neville of the Ponkapoag Golf Course, pending completion of an examination of financial data by the General Counsel, Contract Administration and the Recreational Facilities and Programs Division.
Associate Commissioner Scandrett and Jones noting that both golf courses closed for the 1989 season last November questioned why this matter was not brought before the Commission at an earlier date. Mr. Rodrigues explained that both of the 1989 financial statements were not due until February 20, 1990. Therefore, staff has not had a chance to completely analyze the financial data and make a recommendation.
The Commission V O T E D: to grant a 30 day permit to Mike Wortis, Golf Pro at the Leo J. Martin Memorial Gold Course and Jack Neville, Golf Pro at the Ponkapoag Golf Course, under the same terms and conditions as the Agreement which expired on December 31, 1989. During this 30 day period, a complete examination and evaluation of the financial data, is to be conducted by the Director of Recreational Facilities and Programs and appropriate Commission staff.
At the conclusion of the 30 days, Mr. Rodrigues was directed to return to the Commission with a proposal for the remainder of the 1990 Golf Season and recommendations for the future.

2. Report of Messrs. Rodrigues and Tilas, April 12, submitting for approval Project Justification and Scope of Services and requesting permission to advertise Project No. P88-1516-M3A, Operation and Maintenance of Light and Sound System, E. A. Hatch Memorial Shell. Estimated Cost - $24,600.00. Time for

Performance will be May 1990 through October 31, 1990.
FY/90 - May-June 30 - Account No. 2440-0010-12 - $12,300.00.
FY/91 - July-October 31 - Account No. 2440-0010-12 - $12,300.00.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise.

Action was taken upon the following Various Matters:

1. Report of Mr. Wright, April 12, submitting for approval and signature Contract, between the Metropolitan District Commission and the City of Boston relative to maintenance and operation of the James Michael Curley Recreational Center, which is located on William J. Day Boulevard, South Boston, and referenced in Chapter 240 of the Acts of 1989 and Chapter 653 of the Acts of 1990.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated April 19, 1990, between the Metropolitan District Commission and the City of Boston relative to maintenance and operation of the James Michael Curley Recreational Center, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mrs. Lam, April 13, requesting approval of Contract-Agreement with Janice S. Parlon, for East Boston and Mystic District Community Liaison Services. Total Upset Limit $32,324.00, including $500.00 in travel expenses. Time for Performance will be 12 months. Account No. 2440-8873.
(In compliance with Administrative Bulletin 88-1, this Contract-Agreement was advertised in the Goods and Services Bulletin, with Ms. Parlon the only applicant considered qualified to be interviewed. Therefore, a panel consisting of Messrs. Jewett, Kelter and Mrs. Lam recommend that this Contract be awarded to Ms. Parlon).
On questioning by Associate Commissioner Jones, Mrs. Lam explained that under terms of Chapter 349 of the Acts of 1986, the Commission was directed to engage the services of an individual to represent the Commission on the East Boston Pier Project Advisory Committee. The person chosen for this year, she stated, is Ms. Parlon.
Associate Commissioner Jones then requested that the Secretary be provided with a copy of the legislation for the Commission files.
The Commission V O T E D: Approved as requested by Mrs. Lam in her report of April 13, 1990.

3. Report of the Concession Selection Committee, April 11, recommending that certain Concession Permits be renewed for the 1990 Summer Season.
The Commission V O T E D: to renew the following Concession Permits for the 1990 Summer Season -

LOCATION	CONCESSIONAIRE	PERMIT FEE
Ponkapoag Golf Course Canton	Russell S. Finbow	$6,100.00 for season
Olsen Pool Hyde Park	Allen Koplow d/b/a/ ABS Sales	$ 425.00 for season
Lee Pool West End, Boston	Corrine Ferullo	$ 330.00 for season
Constitution Beach East Boston	John Mangini	$1,325.00 for season
Lynn Fishing Pier Lynn	Rocco Annese	$1,550.00 for season
Dilboy Field Area (excluding the Stadium) Somerville	James H. Reinold	$ 440.00 for season
Nantasket Beach Pavilion, Hull	John & Sophia Koutrobis	$4,200.00 for season

Carson Beach South Boston	Paul Bartel	$ 440.00 for season
Georges Island Boston Harbor	Thomas G. Murphy M & M Marine Services	$2,000.00 and 10% of gross profits from sales over $20,000.00 for season
Christies Ocean Spa Nahant Beach Boathouse	Lucas Dean	$3,465.00 and 10% of gross profits from sales over $30,000.00 for season
Houghtons Pond	Sam Najjar	$4,500.00 for season

The Commission further V O T E D: to waive the 1990 permit fee for the Lee Pool (Corrine Ferullo). Ms. Ferullo paid her permit fee of $330.00 prior to the MDC deciding to keep the pool closed for the 1989 season, due to asbestos and water damage problems which have since been corrected.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mrs. Anderson, April 17, requesting that the Contract Administrator be authorized to establish blanket service contracts for expert witnesses in the amount of $12,000.00 and constables in the amount of $1,000.00, in conjunction with the FY"90" Watershed Land Acquisition Program. Account No. 2420-9883.
The Commission V O T E D: to authorize the Contract Administrator to establish blanket service contracts for expert witnesses in the amount of $12,000.00 and constables in the amount of $1,000.00, in conjunction with the FY"90" Watershed Land Acquisition Program, as requested by Mrs. Anderson in her report of April 17, 1990.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from March 26, 1990 to April 2, 1990.

Expenditures	$542,306.41
Summer Youth	$ 426.47

Adjourned at 1:50 p.m. to meet on Thursday, May 3, 1990 at 9:00 a.m.

William F. Cronin
Secretary

Record of the Three Thousand Five Hundred and Twenty Fifth (3525th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 3, 1990 at 9:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on April 12, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P90-1582-M1A, dated May 3, 1990, with Puraqua Pool Services, Inc., for Servicing Pools within the Metropolitan Park System.

2. Contract No. P84-1315-C6A, dated May 3, 1990, with Trimount Bituminous Products Co., for Resurfacing MDC Parkways.

3. Contract No. P88-1511-C2A, dated May 3, 1990, with Clear Air Control Corp., for Asbestos Abatement at Various MDC Facilities.

4. Contract No. WM88-052-C1A, dated May 3, 1990, with City Fence and Iron Works, Inc., for Fabrication and Installation of Closure Gates, Sudbury, Wachusett, Ware River, Quabbin Reservoirs and Watershed Lands, Clinton and Belchertown, Massachusetts.

5. The Commission V O T E D: to ratify the signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement, which was executed by the aforementioned on April 27, 1990, with Janice Parlon, for East Boston and Mystic District Community Liaison Services.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Mr. Faucher, April 17, recommending that the Commission recognize and commend the following personnel for developing a manual entitled "Standard Operating Procedures for Construction Projects" -

Louis C. Sciortino	Chairperson
George E. Bertini	Resident Engineer
John P. Gilmore	Resident Engineer
Joseph F. Kelley, Jr.	Resident Engineer
Patrick J. Keogh	Resident Engineer (retired)
Eleanor F. Loughman	Secretary (retired)
James F. McCann	Deputy Director for Construction
Edward G. Sacco	Resident Engineer
Charles J. Volpe	Resident Engineer.

The Commission V O T E D: to recognize and commend the above named personnel for their efforts in developing the "Standard Operating Procedures for Construction Projects" manual.

7. Report of Messrs. Faucher and Giella, April 19, on bids for Construction of River Street Park, Wellesley, Contract No. P88-1549-C1A. Account No. 2449-7350.
(Messrs. Faucher and Giella recommend acceptance of the low bid, that of Mass Site Developers, Inc., of $84,170.00).
The Commission V O T E D: to accept the lowest bid, that of Mass Site Developers, Inc., of $84,170.00.

8. Report of Mr. Jewett, May 4, submitting for approval and execution First Amendment to Real Estate Title Examiner Services Contract with Nelson & O'Connell Title Company, Inc., which calls for adding title examination services to the schedule of examinations previously authorized for this Consultant, at an additional cost of $1,750.00, (from $2,447.50 to $4,197.50) Account No. 2420-9883.

9. Report of Messrs. Faucher and Okeke, April 19, on bids for Critical Repairs to Skating Rinks at Various Locations, Contract No. P90-1578-C1A. Account No. 2440-7893.

(Messrs. Faucher and Okeke recommend rejection of the low bid, that of Fame Plumbing and Heating, of $168,600.00 due to failure to submit a Certificate of Eligibility and update statement as required in bid documents.
Messrs. Faucher and Okeke further recommend acceptance of the second low bid, that of Carl-Louis Company, Inc., of $169,700.00).
The Commission V O T E D: to reject the low bid, that of Fame Plumbing and Heating, of $168,600.00 due to failure to submit a Certificate of Eligibility and update statement as required in bid documents.
The Commission further V O T E D: to accept the second low bid, that of Carl-Louis Company, Inc., of $169,700.00.

1. Report of Messrs. Faucher and Okeke, April 19, on bids for Furnishing and Installing New Storage Tanks, Pumps and Automated Fuel Management Equipment at Various MDC Locations.
(Messrs. Faucher and Okeke request rejection of the only bid received, that of H. L. Smith, Inc., of $1,686,730.00, because of imbalance. They further request permission to readvertise the project).
The Commission V O T E D: to reject the only bid received, that of H. L. Smith, Inc., of $1,686,730.00.
The Commission further V O T E D: permission to readvertise the project as requested by Messrs. Faucher and Okeke in their report of April 19, 1990.

2. Report of Messrs. Faucher and Lenhardt, April 11, requesting that the Commission Amend its vote of March 1, 1990 on Contract No. P84-1276-C5A, Emergency Contract - Temporary Pier D Support, Monsignor William J. Casey Overpass, Boston, Massachusetts, to indicate an underrun of $15,321.60 -instead of $16,000.00 - to Traffic Control Services resulting in a net increase of $678.40 to the Contract. Account No. 2490-8881.
The Commission V O T E D: to Amend its vote of March 1, 1990 on Contract No. P84-1276-C5A, Emergency Contract - Temporary Pier D Support, Monsignor William J. Casey Overpass, Boston, Massachusetts, to indicate an underrun of $15,321.60 - instead of $16,000.00 - to Traffic Control Services resulting in a net increase of $678.40 to the Contract.

3. Report of Messrs. Faucher and Lespasio, April 19, requesting that the Commission amend its vote of April 12, 1990, which extended the Contract-Agreement with Jayne E. Brady, for Transportation and Project Coordinating Services, from April 16, 1990 to May 15, 1990, to reflect a new completion date of June 30, 1990, with compensation not to exceed $3,998.36. Account No. 2490-0010.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Lespasio in their report of April 19, 1990.

4. Report of Messrs. Faucher and Higgott, April 3, recommending the following on Contract-Agreement No. P82-1079-D1B, with McGinley Hart and Associates, Repair of Seawall and Restoration of Pavilions and Band Stand, Revere Beach Reservation -
(a) An extension of time from June 30, 1990 to December 31, 1991 - to be co-terminous with construction.
(b) Additional funding of $36,184.13 for increase of construction service time from fifteen to twenty months.
(c) An adjustment for wages in the sum of $6,040.00, due to time extension.
(d) Additional expenses of $10,050.00 for metal testing and $1,960.00 for other expenses - needed to administer work during construction phase.
Total Increase $54,234.13. Account No. 2440-8881.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Higgott.

5. Report of Messrs. Faucher and McCalla, April 19, on bids for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System, FY91 and FY92. Contract No. P90-1579-M1A. Account No. 2440-0010-12.

(Messrs. Faucher and McCalla recommend acceptance of the low bid, that of Coviello Electric & General Contracting Co., Inc., of $187,168.00).
Associate Commissioner Jones expressed his disappointment in the fact that Coviello Electric & General Contracting Co., Inc., is maintaining only an 8% minority participation, on a current Contract with the MDC, in a labor market which calls for 5 to 30% minority participation.
On motion of Associate Commissioner Scandrett, which was seconded and approved by the Commission, Julian Turner, MDC EEO Compliance Officer was directed to send a letter to the Contractor expressing the Commission's disappointment and concern regarding the firms EEO Compliance on Contract No. P88-1506-M1A.
The Commission further V O T E D: to accept the lowest bid, that of Coviello Electric & General Contracting Co., Inc., of $187,168.00.

1. Report of Messrs. Faucher and McCalla, April 19, on bids for Electronic and Sound System Maintenance and Repair Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System, FY91 and FY92.
Contract No. P90-1580-M1A. Account No. 2440-0010-12.
(Messrs. Faucher and McCalla recommend acceptance of the low bid, that of Coviello Electric and General Contracting Co., Inc., of $165,500.00).
The Commission V O T E D: to accept the lowest bid, that of Coviello Electric and General Contracting Co., Inc., of $165,500.00.

2. Report of Messrs. Faucher and Arinella, April 27, recommending approval of Extra Work Order No. 1, in the amount of $7,470.00, for work performed at Franklin Park and Stone Zoos, on Contract No. P88-1507-M1A, with Barber-Coleman-Marcucci, Inc., for Servicing Heating, Ventilating and Air Conditioning Systems (HVAC) at the Charles River Locks and Dams. Account No. 2440-0010-12.
The Commission V O T E D: Held Over.

3. Report of Messrs. Faucher and Arinella, April 27, on bids for Repairs to Broken 4" Fiberglass Reinforced Pipe, Charles River Locks and Dam, Contract No. P90-1577-C2A.
(Messrs. Faucher and Arinella recommend rejection of both bids, due to errors in the Contract documents and authorization be granted to readvertise the project).
The Commission V O T E D: to reject both bids as recommended by Messrs. Faucher and Arinella in their report of April 27, 1990.
The Commission further V O T E D: permission to readvertise the project.

4. Report of Messrs. Faucher and Arinella, April 26, on bids for Repair or Replacement of Monorail Hoist and Crane at the Charles River Locks, Dam and Pump Stations, Charlestown, Massachusetts, Contract No. P90-1577-C4A. Account No. 2440-7893.
(Messrs. Faucher and Arinella recommend acceptance of the low bid, that of Balfour Engineering Co., Inc., of $21,200.00).
The Commission V O T E D: to accept the lowest bid, that of Balfour Engineering Co., Inc., of $21,200.00.

5. Report of Messrs. Faucher and Arinella, April 27, on bids for Repair or Replacement of Culvert Gate at the Charles River Locks and Dam, Contract No. P90-1577-C5A. Account No. 2440-7893.
(Messrs. Faucher and Arinella recommend acceptance of the only bid received, that of R. Zoppo Co., Inc., of $247,200.00).
Associate Commissioner Scandrett noted that the only bid received, that of R. Zoppo Co., Inc., was $13,000.00 below the Engineer's estimate. However, he pointed out, he would like the Division to provide, for the Commission's files, a memo outlining the advertising process used in soliciting proposals, the names of firms requesting and obtaining bid documents, and the names of the firms visiting the site for the pre-bid meeting.
He then requested that in the future, when only one bid is received for a project and the bid is being recommended for award, that the aforementioned information be included in the

recommendation to the Commission.
The Commission V O T E D: to accept the only bid received, that of R. Zoppo Co., Inc., of $247,200.00.

1. Report of Messrs. Faucher and Lenhardt, April 26, on bids for Bridge Rehabilitation, Neponset River Bridge, Contract No. P84-1276-C2A.
(Messrs. Faucher and Lenhardt recommend rejection of all bids, due to price imbalance and authorization be given to readvertise the project).
The Commission questioned the reasons for the cost differential between the Engineer's estimate of $2,340,000.00 and low bid of $3,148,000.00.
Associate Commissioner O'Malley stated that it appeared the Design Engineering firm, Hoyle, Tanner and Associates, had greatly underestimated the dollar value of the project. Mr. Lespasio concurred.
Associate Commissioner Jones moved that Mr. Lespasio inform Hoyle, Tanner and Associates that the Commission is dismayed with the variance between their estimate and the probable actual cost of the project. He then asked that Mr. Lespasio request that Hoyle, Tanner and Associates provide the Commission with an explanation on why their estimate was in such great error.
Associate Commissioner Scandrett seconded the motion, which was then Approved by the Commission.
The Commission V O T E D: to reject all bids as recommended by Messrs. Faucher and Lenhardt in their report of April 26, 1990.
The Commission further V O T E D: permission to readvertise the project.

2. Report of Messrs. Faucher and Giella, April 26, on bids for Construction of Riverwalk Park, Waltham, Massachusetts, Contract No. P85-1342-C1A. Account No. 2449-7350 FY-90 and FY91.
(Messrs. Faucher and Giella recommend acceptance of the low bid, that of C. J. Mabardy, Inc., of $319,000.00).
The Commission V O T E D: to accept the lowest bid received, that of C. J. Mabardy, Inc., of $319,000.00.

Action was taken upon the following matters relating to the Office of Landscape Architect:

3. Report of Mr. Jackson, April 5, presenting an outline of proposed plans for the development of Squantum Point Park, Neponset River Reservation and Draw 7 Park, Mystic River Reservation. Mr. Jackson requests approval by the Commission of the formal designation of park names for both properties.
The Commission V O T E D: Approved.

4. Report of Mr. Jackson, April 27, requesting that the Commission amend its vote of April 12 concerning Cherry Tree Planting, Charles River Reservation to indicate that the Project No. should be P89-1561-C2A.
The Commission V O T E D: Approved.

5. Report of Mr. Jackson, April 27, on bids for Cherry Tree Planting, Charles River Reservation, Contract No. P89-1561-C2A. Account No. 2448-0000.
(Mr. Jackson recommends acceptance of the low bid, that of Greenscape Land Design, Inc., of $6,510.00 - funds donated by the Government of Japan to the Metropolitan Parks Trust Fund).
The Commission V O T E D: to accept the lowest bid received, that of Greenscape Land Design, Inc., of $6,510.00.

Action was taken upon the following matters relating to the Watershed Management Division:

6. Report of Messrs. McGinn and Kane, April 12 on bids for Replacement of Built-Up Roof, Administration Building, Quabbin Reservoir, Belchertown. Contract No. WM89-001-C1A. Account No. 2420-7882.
(Messrs. McGinn and Kane recommend acceptance of the low bid that of Morris Roofing and Sheet Metal of $18,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Morris Roofing and Sheet Metal of $18,000.00.

1. Report of Mr. McGinn, April 20, requesting that the Commission approve a request of the Orange, Massachusetts Lyons Club to conduct a walk-a-thon at Gate 29 of the Quabbin Reservation on May 5, 1990 to benefit "Journey for Sight Walkathon".
The Commission V O T E D: to approve the request of the Orange, Massachusetts Lyons Club to conduct a walk-a-thon at Gate 29 of the Quabbin Reservation on May 5, 1990, subject to the Lyons Club submitting an acceptable hiking plan, and schedule to James Holeva, Acting Superintendent of Quabbin.

2. Report of Messrs. McGinn and Kane, April 23, on bids for Repointing of Masonry Joints at Spillway Areas, Dam and Dike Parapet Walls, Winsor Dam, Ware, Massachusetts, Contract No. WM87-010-M1A.
(Messrs. McGinn and Kane request rejection of the only bids received that of B & E Construction Corporation of $203,00.00 and Garweth Corporation of $248,300.00, due to bid imbalance. They further request permission to readvertise the project).
The Commission V O T E D: to reject all bids, as requested by Messrs. McGinn and Kane in their report of April 23, 1990.
The Commission further V O T E D: permission to readvertise the project.

Action was taken upon the following matter relating to the Office of Administrative and Industrial Standards:

3. Report of Mr. Traficante, April 6, requesting an extension of time from May 14, 1990 to June 30, 1990 on Contract-Agreement with Massachusetts General Hospital, Pulmonary Unit, for Medical Testing of Employees for Occupational Exposure to Asbestos, due to the need to complete medical testing program for FY/90.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Metro Parks Zoos:

4. Ratification of the Signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement with Lamont D. Seipel, for services as a Visitor Services Specialist for the MetroParks Zoos. Total Compensation not to exceed $4,000.00, at a rate of $9.54 per hour. Time for Performance will be April 23, 1990 through June 30, 1990. MetroParks Zoos Retained Revenue Account No. 2443-0001.
(This position is being filled as part of the blanket authorization, to engage the services of Visitor Services Specialist for the MetroParks Zoos, approved by the Commission March 22, 1990).
The Commission V O T E D: to ratify the signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement, dated April 27, 1990, with Lamont D. Seipel, for services as a Visitor Services Specialist for the MetroParks Zoos.

5. Ratification of the signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement with Susan J. Kaplan, for services as a Visitor Services Specialist for the MetroParks Zoos. Total Compensation not to exceed $4,000.00, at a rate of $9.54 per hour. Time for Performance will be April 23, 1990 through June 30, 1990. MetroParks Zoos Retained Revenue Account No. 2443-0001.
(This position is being filled as part of the blanket authorization, to engage the services of Visitor Services Specialist for the MetroParks Zoos, approved by the Commission March 22, 1990).
The Commission V O T E D: to ratify the signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement, dated April 27, 1990, with Susan J. Kaplan, for services as a Visitor Services Specialist for the MetroParks Zoos.

6. Ratification of signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement with Francis L. Burke, Jr., for services as a Maintenance Specialist

at Franklin Park Zoo and Stone Zoo. Total Compensation not to exceed $5,465.00, at a rate of $11.38 per hour. Time for Performance will be April 23, 1990 through June 30, 1990. MetroParks Zoos Retained Revenue Account No. 2443-0001.
(This position is being filled as part of the blanket authorization, to engage the services of maintenance specialist for MetroParks Zoos, approved by the Commission on March 22, 1990).
The Commission V O T E D: to ratify the signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement, dated April 27, 1990, with Francis L. Burke, Jr., for services as a Maintenance Specialist at Franklin Park Zoo and Stone Zoo.

1. Ratification of signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement with Juan C. Suarez, for services as a Maintenance Specialist at Franklin Park Zoo and Stone Zoo. Total Compensation not to exceed $5,150.00, at a rate of $11.38 per hour. Time for Performance will be April 23, 1990 through June 30, 1990. MetroParks Zoos Retained Revenue Account No. 2443-0001.
(This position is being filled as part of the blanket authorization, to engage the services of maintenance specialist for MetroParks Zoos, approved by the Commission on March 22, 1990).
The Commission V O T E D: to ratify the signatures of Commissioner Bhatti and Associate Commissioners Scandrett and Jones on Contract-Agreement, dated April 27, 1990, with Francis L. Burke, Jr., for services as a Maintenance Specialist at Franklin Park Zoo and Stone Zoo.

Action was taken upon the following matter relating to the Office of Real Property:

2. Report of Mrs. Anderson, April 30, requesting that the Commission rescind the vote of March 23, 1989 which granted a ten foot wide easement, for a distance of fifty feet, across Commission land in Southboro to John F. and Helen L. Toomey of Southboro.
Mrs. Anderson further requests that the Commission declare a 10,706 square foot parcel of land in Southboro, as outlined in a plan prepared by Cullinan Engineering Co., Inc., dated November 4, 1987, "surplus to this Agency's needs", in compliance with Chapter 589 of the Acts of 1989.
Following a lengthy discussion concerning the parcel of land, the Commission V O T E D: to rescind its vote of March 23, 1989 which granted a ten foot wide easement, for a distance of fifty feet, across Commission land in Southboro to John F. and Helen L. Toomey of Southboro.
The Commission further V O T E D: to declare a 10,706 square foot parcel of land in Southboro, as outlined in a plan prepared by Cullinan Engineering Co., Inc., dated November 4, 1987, and filed with the Registry of Deeds, "surplus to this Agency's immediate needs", in compliance with and as described in Chapter 589 of the Acts of 1989.
On motion of Associate Commissioner Jones, which was seconded, the Commission further V O T E D: to authorize the Director of Real Property to draft an instrument including, but not limited to, the following terms and conditions:
The Permanent Easement is granted solely for the purpose of a driveway for passage, access to the existing single residence and landscape purposes.
The permanent easement is granted with understanding that no structures are to be placed on this easement. If the aforementioned property is used exclusively for other than residential purposes, the easement will become immediately null and void.

Action was taken upon the following Various Matters:

3. Report of the Concession Selection Committee, April 30, recommending that the Concession Permits for Breakheart Reservation, Saugus - Wakefield and Kelly's Landing, South Boston, be renewed for the 1990 Season.

The Commission V O T E D: to renew the following Concession Permits for the 1990 Summer Season -

LOCATION	CONCESSIONAIRE	PERMIT FEE
Breakheart Reservation Saugus - Wakefield	Don Schmidt Event Specialists	$880.00 for the Season
Kelly's Landing South Boston	Bay View Concessions d/b/a/ "The Landing"	$9,975.00 for the season

The Commission further V O T E D: to remove Mr. Robert P. Volosevich's name from the Kelly's Landing Concession Permit as he is no longer involved the operation.

1. At this point, Associate Commissioner Jones spoke of a recent letter received by the Commission from Robert A. Murray requesting a renewal permit for New England Pro Am Hockey League (NEPAHL) to utilize the Devine Rink in Dorchester for its summer hockey program.
In view of this request, Associate Commission Jones asked that Mr. Rodrigues attend next weeks Commission meeting and present a history of the NEPAHL's program at the Devine Rink and an outline of MDC involvement.
Associate Commissioner Scandrett requested clarification of the present status of NEPAHL involvement with the Devine Rink.
Secretary Chisholm responded that at the meeting of April 5, 1990, the Commission voted unanimously to deny a request of NEPAHL for renewal of their permit at the Devine Rink for the 1990 season.
Since that time, he explained, there have been no further Agenda items concerning NEPAHL.

The following matters were placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from April 2, 1990 to April 9, 1990.

Expenditures	$437,430.61
Summer Youth	$ 365.68

3. The following schedules were approved for payment by the Commissioner during the period from April 9, 1990 to April 16, 1990.

Expenditures	$557,050.62
Summer Youth	$ 369.88

Adjourned at 11:35 a.m. to meet on Thursday, May 10, 1990 at 10:00 a.m.

William F. Chisholm
Secretary

Record of the Three Thousand Five Hundred and Twenty Sixth (3526th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 10, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Records of the Meeting held on April 19, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P87-1425-C3A, dated May 10, 1990, with D & R General Contracting, Inc., for Repairing/Replacing Bituminous/Concrete Sidewalks, Various Locations.

2. Contract No. P84-1276-C3A, dated May 10, 1990, with John Mahoney Construction Co., Inc./Whittier Equipment Corp., Joint Venture, for Bridge Deck Replacement, General E. Leroy Sweetser Bridges, Everett.

3. Third Amendment, dated May 10, 1990, to Contract-Agreement with Jayne E. Brady, for Transportation and Project Coordinating Services.

4. Contract No. P87-1475-C1A, dated May 10, 1990, with Sciaba Construction Corp., for Handicap Access for MDC Headquarters Building.

5. Contract No. P90-1575-C1A, dated May 10, 1990, with Allied Weatherproofing Co., Inc., for Rehabilitation of Filter Systems at the Connor Memorial Pool.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher and Arinella, April 27, recommending approval of Extra Work Order No. 1, in the amount of $7,470.00, for work performed at Franklin Park and Stone Zoos, on Contract No. P88-1507-M1A, with Barber-Coleman-Marcucci, Inc., for Servicing Heating, Ventilating and Air Conditioning Systems (HVAC) at the Charles River Locks and Dams. Account No. 2440-0010-12.
The Commission V O T E D: Delete from Agenda.

7. Report of Messrs. Faucher and Abounaja, May 2, on bids for Park Improvement to Johnson Playground, Boston, Contract No. P88-1542-C1A. Account No. 2440-8817.
(Messrs. Faucher and Abounaja recommend acceptance of the low bid, that of Brightway Corp., of $414,880.00).
The Commission V O T E D: to accept the lowest bid, that of Brightway Corp., of $414,880.00.

8. Report of Messrs. Faucher, Terzian and Arinella, April 30, on bids for Repair to "Bucket Type" Vertical Propeller Pump Assemblies located at the Charles River Dam Pump House, Charlestown, Massachusetts.
(Messrs. Faucher, Terzian and Arinella request rejection of both bids, because of bid imbalance. They further request permission to readvertise the project).
The Commission V O T E D: to reject both bids, because of bid imbalance, as requested by Messrs. Faucher, Terzian and Arinella in their report of April 30, 1990.
The Commission further V O T E D: permission to readvertise the project.

Action was taken upon the following matters relating to the Office of Contract Administration:

9. Report of Mr. Jewett, May 4, submitting for approval and execution Second Amendment to Real Estate Title Examiner Services

Contract with Sullivan, McDermott and Hogan, which calls for adding title examination services to the schedule of examinations previously authorized for this Consultant, at an additional cost of $1,650.00, (from $4,800.00 to $6,450.00). Account No. 2420-9883.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Second Amendment, dated May 10, 1990, to Real Estate Title Examiner Services Contract-Agreement with Sullivan, McDermott and Hogan, which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mr. Jewett, May 4, recommending approval and execution of the following Contract-Agreements, for Professional Real Estate Title Examination Services, with -
Law Offices of - Value of $3,500.00 - for 6 parcels
Peter E. Flynn
Marsh, Moriarty, - Value of $8,145.00 - for 9 parcels
Ontell & Dacey, P.C.
Valley Title - Value of $3,285.00 - for 10 parcels
Company, Ltd.
Account No. 2420-9883.
The Commission V O T E D: Approved.
The Secretary then submitted for signature the following Contract-Agreements which were signed by the Commissioner and two Associate Commissioners:
Contract-Agreement, dated May 10, 1990, with the Law Offices of Peter Flynn, for Professional Real Estate Title Examination Services.
Contract-Agreement, dated May 10, 1990, with Marsh, Moriarty, Ontell & Dacey, P.C., for Professional Real Estate Title Examination Services.
Contract-Agreement, dated May 10, 1990, with Valley Title Company, Ltd., for Professional Real Estate Title Examination Services.

2. Report of Mr. Jewett, May 4, submitting for approval and execution First Amendment to Real Estate Title Examiner Services Contract with Nelson & O'Connell Title Company, Inc., which calls for adding title examination services to the schedule of examinations previously authorized for this Consultant, at an additional cost of $1,750.00, (from $2,447.50 to $4,197.50) Account No. 2420-9883.
The Commission V O T E D: Approved.
The Secretary then submitted for signature First Amendment, dated May 10, 1990,to Real Estate Title Examiner Services Contract-Agreement with Nelson & O'Connell Title Company, Inc., which was signed by the Commissioner and three Associate Commissioners.

3. Mr. Jewett, representing the Concession Selection Committee, spoke of the many meetings and discussions which have been held with owners of WesCo Concession, Inc., (WESCO) over the past several months relative to the operation of the concession at Franklin Park and Stone Zoos.
He stated that the Committee is no closer to having a Permit Agreement with WesCo executed than when it was first drafted. If anything, he pointed out, WesCo and the MDC are further apart now than when negotiations first started. There now appears to be irreconcilable differences between the MDC and WesCo, he explained.
Mr. Jewett then requested, on behalf of the Concession Selection Committee, that the Commission rescind its vote of August 10, 1989 awarding the permit to WesCo and further authorize the Committee to publicly advertise for new proposals.
At this point, Mr. James Cofield, Jr. of WesCo, requested and was given an opportunity to review with the Commission his understanding of the events leading to the item being placed on the Commission Agenda. He then spoke of numerous meetings with the Concession Selection Committee, and staff of the Commission, regarding the formalization of a permit.
Mr. Wright, upon questioning by the Commission, stated that there is no Contract between the MDC and WesCo nor has there ever been a Contract. He then spoke of the latest request of WesCo for a

five year self-renewable permit which would also change the compensation formula, hours of operation, and not require that the concessions be open 363 days per year.
Associate Commissioner O'Malley noting that the Commission approved the award in August, 1989 questioned why WesCo did not receive a formal permit, for execution until December, 1989.
Mr. Jewett explained that he had never prepared this type of permit in the past. He then stated it was a unique concession permit, unlike any the Commission had previously entered into. It took some time to research how the permit should be prepared for content and form, he noted.
Mr. Jewett noted that if WesCo had not chosen to close down unilaterally on December 15, 1989, there would have been an official contract at that time for execution.
Dr. Goldstein noting that Wesco claimed that Annette Jones, the Zoos Revenue Manager, allowed the concessions to close on December 15, 1989, stated that he informed WesCo later that same day that they would not be permitted to close the operation. He pointed out that WesCo took her decision over his and closed down the concessions.
Associate Commissioner Whelan spoke of an affidavit from Annette Jones which was presented to the Commission while the Commission meeting was in progress.
Associate Commissioner Whelan then reviewed written revenue receipts and questioned if people should be forced to operate with insignificant returns during the winter months.
Dr. Goldstein stated that the requirement that Zoo Concessions remain open 363 days a year is common practice at zoos around the country. He then cited the fact that the Toronto Zoo requires concessionaires to be open all hours that the zoo is in operation.
Dr. Goldstein then spoke of the many complaints received concerning the fact that the zoo concessions were not open for visitors following WesCo shut-down.
Mr. Wright then explained the 363 day requirement was in the Request for Proposals as voted by and approved by the Commission.
Associate Commissioner Whelan spoke of the counter proposal from WesCo stating that if during the season WesCo could demonstrate daily gross sales of less that $100.00, or if either of the zoos experience a traffic count of less than 50 people, WesCo would seek to negotiate, and expect to achieve, reduced hours of operation.
Associate Commissioner Whelan stated that he thought this request was reasonable and fair.
Dr. Goldstein then stated that he believes the RFP is legally binding. If other bidders found out that it were possible to change the requirement that both zoos be open 363 days per year as outlined in the RFP, they might have bid differently.
At this point, Mr. Jewett stated that he felt very strongly that the recommendation submitted on behalf of the Concession Selection Committee should be acted on favorably. He noted that at least six senior staff members have reached the same consensus that the Commission should recind it's vote of August 10, 1990 and authorize readvertisement of the Concession. The Committee reached this consensus after many hours of meetings with WesCo resulting in an impasse, he noted.
Commissioner Bhatti asked if WesCo would be able to submit a proposal on the next RFP. Mr. Jewett responded in the affirmative.
At this point, Associate Commissioner Scandrett made a motion that the item be Held Over, the motion was seconded and approved.
Associate Commissioner Whelan then spoke of the substantial amount of information which he received from WesCo today, which he has not had an opportunity to review. This, he noted, makes him hesitant to take action at this time.
At this point, Associate Commissioner Scandrett moved that the Commission reconsider the vote to Hold Over the matter, which was seconded and approved.
Associate Commissioner Scandrett made a new motion to rescind the vote of August 10, 1989, awarding a Permit for Gift Shop and Food Concessions for Franklin Park Zoo and Walter D. Stone Memorial Zoo to WesCo Concessions, Inc., and to grant the Concession Selection Committee authority to publicly advertise for new

proposals, which was seconded.
At this point, Mr. Cofield stated that his firm is ready, willing and able to operate the Concession and wants the Contract.
He stated that WesCo will respect the three statements of Commissioner Bhatti made a few months ago namely -

(1) The Commission wants the Concession open 363 days a year.
(2) WesCo will not cater throughout the African Tropical Forest Pavilion.
(3) WesCo will not seek a long term contract.

Mr. Cofield then stated that the fee is the only remaining issue left to negotiate and WesCo is willing to discuss that matter.
Associate Commissioner Whelan pointed out that the Commission cannot and will not change any basic fundamentals of the Request for Proposals. If this were to happen, he stated, it would not be fair to others who bid on the Concessions.
On Associate Commissioner Scandrett's motion, to rescind the vote of August 10, 1989, awarding a Permit for Gift Shop and Food Concessions for Franklin Park Zoo and Walter D. Stone Memorial Zoo to WesCo Concessions, Inc., and to grant the Concession Selection Committee authority to publicly advertise for new proposals, which was seconded, Commissioner Bhatti and Associate Commissioner Scandrett voted in favor. Associate Commissioner Whelan and O'Malley opposed.
Associate Commissioner Scandrett's motion, therefore, did not carry.
The matter was deleted from the Agenda.
Associate Commissioner Whelan then moved that Commissioner Bhatti be authorized to begin once again a dialogue with staff and WesCo in an attempt to resolve the matter. The motion was seconded and Approved.

1. At this point, Mr. Rodrigues appeared before the Commission, as requested by Associate Commissioner Jones at the Meeting of May 3, 1990, concerning the New England Pro Am Hockey League.
He presented a history and chronology of events leading to the vote of April 5, 1990, at which time the Commission voted unanimously to deny a request of New England Pro Am Hockey League for a new Permit for their program at the Devine Rink for the 1990 season.
Following a lengthy question and answer period, the matter was placed on file.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from April 16, 1990 to April 23, 1990.

Expenditures	$372,692.71
Summer Youth	$ 361.49

Adjourned at 2:15 p.m. to meet on Thursday, May 17, 1990 at 10:00 a.m.

William F. Cushman
Secretary

Record of the Three Thousand Five Hundred and Twenty Seventh (3527th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 17, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on May 3, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. First Amendment, dated May 17, 1990, to Contract-Agreement No. P85-1341-D1A, Schoenfeld Associates, for Reconstruction of Lynn Shore Drive and Nahant Beach Reservation - Including Roadway, Lynn, Massachusetts.

2. Contract No. P85-1342-C1A, dated May 17, 1990, with C. J. Mabardy, Inc., for Construction of Riverwalk Park, Waltham, Massachusetts.

3. Contract-Agreement No. P80-0826-D2A, dated May 17, 1990, with Andrew Christo Engineers Corp., for Repairs to Huntington Avenue Overpass, Jamaica Plain.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Mayhew, May 8, on bids for Installation of Safety Fencing, Georges Island, Boston Harbor, Massachusetts, Contract No. P87-1456-C1A. Account No. 2440-8889. (Messrs. Faucher and Mayhew recommend acceptance of the base bid of John Mahoney Construction Co./Whittier Equipment Corp. in the sum of $256,000.00 and Alternate No. 3 in the sum of $50,980.00 for a total low bid of $306,980.00).
The Commission V O T E D: to accept the lowest bid received, that of John Mahoney Construction Co./Whittier Equipment Corp. in the sum of $256,000.00 and Alternate No. 3 in the sum of $50,980.00 for a total low bid of $306,980.00.

5. Report of Mr. Faucher and Ms. Peterson, May 10, requesting approval of an extension of time from April 30, 1990 to June 15, 1990, on Contract No. P82-1051-C2A, with Goudreau Corporation, for Repair of Craigie Drawbridge, Charles River Dam Road over Charles River, Boston, Massachusetts, due to inclement weather and delays in delivery of parts.
Associate Commissioner Jones noted that the contractor, in a letter to Ms. Peterson dated April 25, 1990, stated that the MDC has not processed his invoices in a timely manner. Therefore, he claimed, financial problems have resulted for his firm and the projects sub-contractors.
Associate Commissioner Jones then requested that Mr. Lespasio prepare and send a letter to Goudreau Corporation, following review and approval by appropriate staff, advising the firm of any possible recourse in the event of any late payment of invoices by the MDC.
The Commission V O T E D: to approve an extension of time, from April 30, 1990 to June 15, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

6. Report of Messrs. Faucher, Terzian and Higgott, May 11, submitting for approval and execution, Local Cooperation Agreement with the Department of the Army, Corps of Engineers, Project No. P82-1018, Construction of the Revere Beach Erosion Control Project, Revere, Massachusetts. Project Value $10,900,000.00. MDC share $3,815,000.00. Account No. 2440-7895.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Local Cooperation Agreement, dated May 17, 1990, with the Department of the Army,

Corps of Engineers, Project No. P82-1018, Construction of the Revere Beach Erosion Control Project, Revere, Massachusetts, which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. Faucher and Machado, April 27, requesting approval of an extension of time from June 30, 1990 to December 31, 1990, on Contract No. P87-1466-C1A, with USX Corporation, (Cyclone Fence Company), for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District, due to additional work being added to the Contract.
The Commission V O T E D: to approve an extension of time, from June 30, 1990 to December 31, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Machado, May 4, recommending approval of a revision in quantities on Item No. 74 - Barbed Wire, at a cost of $1,500.00, on Contract No. P87-1466-C1A, with USX Corporation, (Cyclone Fence Company), for Installation of Closure Gates, Guard Rail and Fences at Various Locations.
(At no additional obligation to the Commission as increase will be offset by unused quantities in other items).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado in their report of May 4, 1990.

3. Report of Messrs. Faucher and Machado, May 10, recommending approval of the following on Contract No. P79-0596-C1A, with John McCourt Company, for Rehabilitation of the Veterans of Foreign Wars Parkway -

Alteration No. 2	- A Credit on Item 117 thru 125, for substition of Traffic Control Signals.	- $1,887.00
Alteration No. 3	- A Credit - EWO No. 5 Replacement of Controllers called for under the Contract with up-dated Controllers.	- $ 904.00

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado in their report of May 10, 1990.

Action was taken upon the following matter relating to the Flood Control and Navigational Operations Division:

4. Report of Mr. Winter, May 1, recommending that the Commission ratify and approve the award of an Emergency Contract to the General Electric Company and authorize payment, in the amount of $2,349.05, for temporary repairs and installation of a new undervoltage trip device at the Amelia Earhart Dam.
Account No. 2440-0010-12.
The Commission V O T E D: to ratify and approve the award of an Emergency Contract to the General Electric Company, for temporary repairs and installation of a new undervoltage trip device at the Amelia Earhart Dam.
The Commission further V O T E D: to authorize payment, in the amount of $2,349.05, to the General Electric Company.

Action was taken upon the following matters relating to the Reservations and Historic Sites Division:

5. Report of Mr. VanWart, May 11, requesting approval of a Contract-Agreement with William A. Stokinger, for Cultural Resource Specialist Services. Total Compensation $32,976.00, including $500.00 in expenses. Time for Performance July 1, 1990 through June 30, 1991. Account No. 2440-0010-03.
(In compliance with Administrative Bulletin 88-1, this Contract-Agreement was advertised in the Goods and Services Bulletin, with Mr. Stokinger the only applicant considered qualified to be interviewed. Therefore, a panel consisting of Messrs. VanWart, Jewett and Kelter, recommend that this Contract be awarded to Mr. Stokinger).

The Commission V O T E D: Approved as requested by Mr. VanWart in his report of May 11, 1990.

1. Report of Mr. VanWart, May 11, requesting approval of a Contract-Agreement with Thomas F. Mahlstedt, for Chief Archaeologist Services. Total Compensation $33,942.41, including $500.00 in expenses. Time for Performance July 1, 1990 through June 30, 1991. Account No. 2440-0010-03.
(In compliance with Administrative Bulletin 88-1, this Contract-Agreement was advertised in the Goods and Services Bulletin, with Mr. Mahlstedt the only applicant considered qualified to be interviewed. Therefore, a panel consisting of Messrs. VanWart, Jewett and Kelter, recommend that this Contract be awarded to Mr. Mahlstedt).
The Commission V O T E D: Approved as requested by Mr. VanWart in his report of May 11, 1990.

2. Report of Mr. VanWart, May 11, requesting approval of a Contract-Agreement with Albert E. Pratt, for Operations Planner Services. Total Compensation $32,324.00, including $500.00 in expenses. Time for Performance July 1, 1990 through June 30, 1991. Account No. 2440-0010-03.
(In compliance with Administrative Bulletin 88-1, this Contract-Agreement was advertised in the Goods and Services Bulletin, with Mr. Pratt the only applicant considered qualified to be interviewed. Therefore, a panel consisting of Messrs. VanWart, Jewett and Kelter, recommend that this Contract be awarded to Mr. Pratt).
The Commission V O T E D: Approved as requested by Mr. VanWart in his report of May 11, 1990.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Rodrigues, May 9, recommending that the Commission grant a revocable permit to the Public Theatre, Inc., 1175 Soldiers Field Road, Boston, to sell beer and wine at the theatre site during their 1990 season, subject to certain conditions.
Spiro Veloudos, the Public Theatre's Artistic Director, thanked the Commission and staff for their cooperation during last years theatre season.
Associate Commissioner Whelan noting that there were no firm hours on when the beer and wine could be served to theatre attendees, asked that the following condition be included in the new revocable permit -

"The beer and wine shall be offered for sale no earlier than one hour before the performances and during intermissions; City and State rules and regulations regarding sale of beer and wine shall be strictly observed and the service will be provided only to theatre goers".

Associate Commissioner Jones requested that the Commission be provided with information from the 1989 season concerning the number of free admissions provided to the handicapped, elderly, youth groups etc., and any other information which may prove valuable to the Agency.
The Commission V O T E D: Approved as recommended by Mr. Rodrigues in his report of May 9, 1990, subject to the following conditions:

Publick Theatre, Inc. shall obtain all required State and Municipal permits and/or licenses.

Publick Theatre, shall notify all local establishments (that serve beer and wine) of the Theatre's intention to serve beer and wine at the theatre site; said establishments to be notified prior to representatives of Publick Theatre, Inc. appearing before the Boston Licensing Commission.

The beer and wine shall be offered for sale no earlier than one hour before the performances and during intermissions; City and State rules and regulations regarding sale of beer and wine shall be strictly observed and the service will be provided only to theatre goers.

Publick Theatre, Inc. shall not publicly advertise the fact that beer and wine is being offered for sale.

Publick Theatre, Inc. shall give appropriate credit to

MetroParks a service of the Metropolitan District Commission in all advertising of theatre performances.

Public Theatre, Inc. shall hold the Commonwealth of Massachusetts, the Metropolitan District Commission, and its agents and servants, harmless and indemnified against any and all claims and demands for damages to persons or property arising out of the exercise of this permit.

This permit may be revoked at any time by the Metropolitan District Commission.

1. Report of Mr. Rodrigues, May 11, recommending approval and execution of Contract-Agreements with Golf Professionals Michael F. Wortis - Leo J. Martin Golf Course and John F. Neville, Jr. - Ponkapoag Golf Course for terms of two years (April 15, 1990 through the closing date of the courses in the fall of 1991). Compensation to the Commission by each Golf Professional will be $15,000.00 in 1990 and $18,000.00 in 1991.
Following a lengthy discussion concerning renewal of the Contract-Agreements, the Commission V O T E D: Held Over.
Mr. Rodrigues was directed to provide for Commission review, prior to the Commission Meeting of May 24, 1990, copies of Messrs. Wortis and Neville's 1987, 1988 and 1989 Financial Statements.
Associate Commissioner Whelan, noting that the MDC is not receiving proper recognition for co-sponsoring various events at the golf courses, requested that the news media be reminded of Commission involvement, prior to any future events.
Associate Commissioner Jones suggested that this matter be referred to the Public Information Office for future follow-up and coordination.

2. Report of Messrs. Rodrigues, Tilas and Vitagliano, May 16, on bids for Operation and Maintenance of Sound and Lighting Systems at E. A. Hatch Memorial Shell, Embankment Road, Boston, Contract No. P88-1516-M3A. Account No. 2440-0010-12.
(Messrs. Rodrigues, Tilas and Vitagliano recommend acceptance of the low bid that of Capron Lighting and Sound, Inc., of $15,770.00).
The Commission V O T E D: to accept the lowest bid received, that of Capron Lighting and Sound, Inc., of $15,770.00.

Action was taken upon the following matter relating to the Office of Contract Administration:

3. Matter of a request by J. D'Amico, Inc., for a hearing before the Prequalification Appeal Board (the Commission) concerning the Prequalification Committee's denial of a category requested by the contractor which prevents their bidding on two current construction contracts.
As a result of J. D'Amico, Inc., not appearing for the scheduled Hearing, Mr. Jewett's Office contacted the firm and was informed that they did not appear because of inadequate notice. Mr. Jewett then noted that officials of the firm indicated, when contacted about the Hearing, that they would be in attendance at the May 17, 1990 Commission Meeting.
On motion of Associate Commissioner Scandrett, the Commission directed the Contract Administrator to notify J. D'Amico, Inc., by mail, that a hearing on their appeal will be rescheduled for Thursday, May 24, 1990 at 10:00 A.M..
Associate Commissioner Jones requested that Mr. Jewett send the letter Registered Mail, Overnight Delivery, noting in the letter that the firm had agreed to present its appeal at today's meeting.
In line with the one week delay in the Appeals Hearing, the Commission voted to delay the opening of bids on Contract No. P90-1574-C1A, Furnishing and Installing New Storage Tanks, Pumps and Automated Fuel Management Equipment at Various MDC Locations, from Wednesday, May 23, 1990 to Wednesday, May 30, 1990.
Associate Commissioner Jones then requested that Mr. Jewett review the matter with Mr. Wright to insure that all legal procedures have been complied with.

4. At this point, the Commission was informed that Associate

Commissioner O'Malley was in the hospital undergoing medical tests.
The Commission went on record in wishing her well and that the results of the tests are most satisfactory.

1. Associate Commissioner Jones noting the lack of follow through and cooperation by some individuals in providing information, as requested in various Commission votes, made the following motion which was seconded and approved by the Commission -
'In the future, when a motion is made and approved by the Commission with certain stipulations, these stipulations must be carried out within a week and at that time a final vote will be taken on the matter, otherwise, the motion as approved will not be valid.'
He then stated that this motion is not intended to delay or hold up action on agenda items but to insure that the motions and requests of the Commission are honored.

2. At this point, Associate Commissioner Scandrett requested that in the future, when the Associates are copied on a letter of complaint (etc.), that the individual responding to the letter forward a copy of the response to the Assoicate Commissioners for their information.

The following matter was placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from April 24, 1990 to April 30, 1990.

Expenditures	$380,870.18
Summer Youth	$ 503.48

Adjourned at 1:20 p.m. to meet on Thursday, May 24, 1990 at 10:00 a.m.

William F. Clark
Secretary

Record of the Three Thousand Five Hundred and Twenty Eighth (3528th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 24, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley and Whelan.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P88-1549-C1A, dated May 24, 1990, with Mass Site Developers, Inc., for Construction of River Street Park, Wellesley.

2. First Amendment, dated May 24, 1990, to Contract-Agreement with Joseph A. Trainor, for the Development and Implementation of a Plan for Enhancing the MDC's Real Property Acquisition Procedures.

3. Contract No. P90-1578-C1A, dated May 24, 1990, with Carl-Louis Co., Inc., for Critical Repairs at Skating Rinks at Various Locations.

4. Contract No. P90-1577-C4A, dated May 24, 1990, with Balfour Engineering Co., Inc., for Repair or Replacement of Monorail Hoist and Crane at the Charles River Locks, Dam and Pump Stations, Charlestown, Massachusetts.

5. Contract No. P90-1577-C5A, dated May 24, 1990, with R. Zoppo Co., Inc., for Repair or Replacement of Culvert Gate at the Charles River Locks and Dam.

6. Contract No. P88-1542-C1A, dated May 24, 1990, with Brightway Corp., for Park Improvements to Johnson Playground, Boston, Massachusetts.

Hearing before the Prequalification Appeal Board:

7. Matter of a request by J. D'Amico, Inc., for a hearing before the Prequalification Appeal Board (the Commission) concerning the Prequalification Committee's denial of a category requested by the contractor which prevents their bidding on two current construction contracts.
Mr. Jewett explained that the Contractors application for the special category of Underground Fuel Storage Tanks and Automated Fuel Managment Equipment Installations, was considered on two occasions by the Prequalification Committee and denied both times due to what the Committee felt was insufficient experience. At this point, Mr. Michael F. Lenihan, Vice President of J. D'Amico, Inc., presented a brief summation relative to the types of construction contracts that his firm has performed; he identified all types of general contracting projects and, in his opinion, J. D'Amico, Inc. is qualified to bid on removal and replacement of underground gasoline tanks and associated work.
He then detailed a project which his firm worked on at Otis Air Force Base in 1989.
The project included installation of oil water separators; oil storage tanks; leak monitoring systems; submersible pump stations for various buildings on the base; removal of hazardous substances and miscellaneous piping and electrical work.
Following a lengthy discussion concerning the qualifications of J. D'Amico, Inc., the Commission V O T E D: to authorize the prequalification of J. D'Amico, Inc. in the special category of Underground Fuel Storage Tank and Automated Fuel Management Equipment Installations and to permit the firm to submit a bid on Contract No. P90-1574-C1A, Furnishing and Installing New Storage Tanks, Pumps and Automated Fuel Management Equipment.
Associate Commissioner Jones commended the Prequalification Committee for their efforts on this matter and stated that the vote did not diminish the Commission's regard for the efforts of the Prequalification Committee.

Action was taken upon the following matter relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Arinella, May 14, on bids for Repairs, Replacement and Calibration of Console, Engine and Level Gauges - MDC Locks Dams and Pump Houses, Contract No. P90-1577-C3A. Account No. 2440-7893.
(Messrs. Faucher and Arinella recommend acceptance of the only bid received, that of R. Zoppo Co., Inc., of $83,384.00).
It was noted that as a result of public advertisement, four contractors picked up bid documents. However, R. Zoppo Co., Inc., was the only firm to bid on the project.
The Commission V O T E D: to accept the only bid received, that of R. Zoppo Co., Inc., of $83,384.00.

Action was taken upon the following matter relating to the Office of Landscape Architect:

2. Report of Mr. Jackson, May 16, requesting approval of a revision in quantities on Item No. 1, Prunus Serrulata from 15 to 31, at a unit price of $217.00, on Contract No. P89-1561-C2A, with Greenscape Land Designs, Inc., for Planting Cherry Trees, Charles River Reservation.
(The accepted unit price was lower than anticipated making additional funds available for plantings).
Mr. Jackson explained that the Cherry Trees are a gift from the people of Japan who made a contribution of $10,000.00 to the Metropolitan Parks Trust Fund for the project.
The Commission V O T E D: Approved as recommended by Mr. Jackson in his report of May 16, 1990.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Rodrigues, May 11, recommending approval and execution of Contract-Agreements with Golf Professionals Michael F. Wortis - Leo J. Martin Golf Course and John F. Neville, Jr. - Ponkapoag Golf Course for terms of two years (April 15, 1990 through the closing date of the courses in the fall of 1991). Compensation to the Commission by each Golf Professional will be $15,000.00 in 1990 and $18,000.00 in 1991.
Mr. Rodrigues explained in detail the reason for his recommendation that the term of the Contract-Agreements with Messrs. Wortis and Neville be for two years.
The Commission reviewed the financial statements of both Golf Professionals and spoke of the need for a more detailed document.
Following a lengthy discussion, the Commission V O T E D: to approve the recommendation of Mr. Rodrigues, subject to the following:
Mr. Rodrigues is to meet with Mr. Iovanna and, with his assistance, develop a standard form which will more accurately define data to be incorporated into all future financial statements. This form will include all categories for any depreciation which may be claimed by the provider of the services.
This new standard financial form is to be presented to the Commission for review, no later than June 28, 1990.
The Secretary submitted for signature Contract-Agreements, dated May 17, 1990, with Golf Professionals Michael F. Wortis - Leo J. Martin Golf Course and John F. Neville, Jr. - Ponkapoag Golf Course, which were signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matter relating to the Central Service Division:

4. Report of Mr. Lydon, May 17, on bids for Rubbish Dumpster Supply, Service and Waste Disposal, at an estimated cost of $720,000.00 - Account Numbers to be determined by Financial Division.
Mr. Lydon further recommends that bids for direct disposal from MDC trucks at landfills or transfer stations be accepted.
The Commission V O T E D: to award Contracts for Rubbish Dumpster Supply, Service and Waste Disposal, as recommended by Mr. Lydon, as follows:

Blue Hills Maintenance	-	30 yards	- Reliable
Blue Hills Office	-	30 yards	- Reliable
Stoney Brook	-	30 yards	- Reliable
Nantasket	-	30 yards	- Reliable
Southwest Corridor	-	30 yards	- Reliable
Old Colony Labor	- (2)	30 yards	- Reliable
M.D.C. Stable	-	15 yards	- Laidlaw
Middlesex Fells Labor	- (2)	30 yards	- Reliable
Revere	-	30 yards	- Laidlaw
Nahant	-	20 yards	- Laidlaw
Wellington Circle Police	-	10 yards	- Laidlaw
Hormel Stadium	-	5 yards	- Waste Management
Ponkapoag Golf Course	-	30 yards	- Reliable
North End Rink	-	6 yards	- Waste Management
Upper Basin Labor	- (2)	30 yards	- Reliable
Lower Basin Labor	- (4)	30 yards	- Reliable
Community Boating	-	10 yards	- Laidlaw
A. Earhart Dam	-	6 yards	- Waste Management
Camp Nihan	-	6 yards	- Waste Management
Franklin Park Zoo	-	30 yards	- Reliable
Franklin Park Zoo (Compactor)	-	30 yards	- Laidlaw
Stone Zoo	-	6 yards	- Laidlaw
Stone Zoo	-	10 yards	- Laidlaw
L. J. Martin Golf Course	- (2)	30 yards	- Reliable
Marine Division	-	6 yards	- Waste Management
20 Somerset Street	-	6 yards	- Waste Management
Temporary Locations	-	30 yards	- Reliable

The Commission further V O T E D: to award Contracts, for direct disposal from MDC trucks at landfills or transfer stations, as recommended by Mr. Lydon, as follows:

Cambridge Transfer Station	-	B.F.I.
Somerville Transfer Station	-	Waste Management
Roxbury Transfer Station	-	Laidlaw
Plainville Landfill	-	Laidlaw.

Action was taken upon the following Various Matter:

1. Report of Mr. Wright, May 18, requesting approval and execution of the First Amendment to Contract-Agreement with John F. Shea, for Professional Services to the Department of the Attorney General in the preparation of the Brimmer Street court case for trial in courts of the Commonwealth, which provides for an extension of Time for Performance from June 30, 1990 through June 30, 1991.
The Commission V O T E D: Approved.
The Secretary then submitted for signature First Amendment, dated May 24, 1990, to Contract-Agreement with John F. Shea, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Real Property:

2. Report of Mrs. Anderson, May 18, requesting authorization to negotiate Land Acquisition with the Trust for Public Land; Arthur Augenstern, owner of 37,600 square feet at the entrance to Fort Revere Park, Hull and G & O Realty Trust, owner of 17.5 acres, between Stony Brook Reservation and George Wright Golf Course, Hyde Park.
Associate Commissioner Jones requested that Mrs. Anderson review the acquisition procedures with Legal Counsel to insure that they are in compliance with all legal requirements.
The Commission V O T E D: to authorize Mrs. Anderson to negotiate Land Acquisition with the Trust for Public Land; Arthur Augenstern, owner of 37,600 square feet at the entrance to Fort Revere Park, Hull and G & O Realty Trust, owner of 17.5 acres, between Stony Brook Reservation and George Wright Golf Course, Hyde Park.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from April 30, 1990 to May 7, 1990.

Expenditures	$1,166,297.99
Summer Youth	$ 862.88

Adjourned at 1:30 p.m. to meet on Thursday, May 31, 1990 at 10:00 a.m.

William F. Quick
Secretary

Record of the Three Thousand Five Hundred and Twenty Ninth (3529th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 31, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley and Whelan.

The Records of the Meeting held on May 10, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P89-1561-C2A, dated May 31, 1990, with Greenscape Land Design, Inc., for Cherry Tree Planting, Charles River Reservation.

2. Contract No. WM89-001-C1A, dated May 31, 1990, with Morris Roofing and Sheet Metal, for Replacement of Built-Up Roof, Administration Building, Quabbin Reservoir, Belchertown, Massachusetts.

3. Contract No. P86-1393-C3A, dated May 31, 1990, with Bay State Contracting Co., for Rehabilitation of the Louis E. Porrazzo and Rev. Romano Simoni Ice Skating Rinks, East Boston - Cambridge.

Action was taken upon the following matter relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Mayhew, May 14, recommending approval of Extra Work Order No. 2, in the amount of $31,132.16, for Installation of New Pressure Treated Timber Sheating with Wales, on Contract No. P80-0793-C4A, with John Mahoney Construction Company, Inc., Whittier Equipment Corp., for Maritime Work, South Boston.
(No additional funding required as increase will be offset by unusedquantities in other items).
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $31,132.16).

5. Report of Messrs. Faucher and Brooks, May 21, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1587-M1A, Maintenance of Refrigeration Systems, Located in Ice Skating Rinks Within the Metro Parks System. Estimated Cost $720,000.00. Account No. 2440-0010-12.
At this point, Associate Commissioner Jones requested that Mr. Brooks obtain a report from Lewis Refrigeration relative to their findings concerning the condition of the concrete slab and refrigeration system at the Devine Rink, Dorchester, following the 1989 New England Pro Am program.
The Commission V O T E D: Approved.

6. Report of Messrs. Faucher and Deluca, May 23, on Bids for Critical Repairs to Swimming Pools, Contract No. P90-1576-C1A, Account No. 2440-0010-12.
(Messrs Faucher and Deluca recommend acceptance of the low bid, that of Allied Weatherproofing Co., Inc., of $537,889.00).
Associate Commissioner Jones noted that there will be a significant reduction in supervisory staff at the Commission's wading pools this Summer, due to budgetary constraints.
He asked that the Division and Legal Counsel meet and determine the most feasible way to make users aware of their responsibility in supervising youngsters when using Commission wading pools this year.
The Commission V O T E D: to accept the lowest bid received, that of Allied Weatherproofing Co., Inc., of $537,889.00.

7. Report of Messrs. Faucher and Higgott, May 23, on request of Linden Construction Company, Contractor on Contract No. P82-1079-C1A, Repair of Seawalls and Restoration of Pavilions and Bandstand - Revere Beach Reservation for approval of the following subcontractors:

Eastern Seaboard Concrete Construction -
Forming and Pouring Concrete-Seawall Work - $360,000.00
Spector Metal Products Co., Inc., -
Sandblasting Structural Steel, Cast Iron Forged Steel, Misc. Metals, Galvanized Shop Painting - $815,000.00
Isaac Blair & Co., Inc. -
Shoring & Jacking of Pavilions - $112,000.00
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Higgott in their report of May 23, 1990.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien, May 25, requesting that the Commission confirm plans for the New Charles River Basin Esplanade Extension as set forth in a letter from Commissioner Bhatti to Dean Stratouly, President, North Federal Properties Limited Partnership - Congress Group Ventures, Inc., General Partner, dated May 29, 1990.
Mrs. O'Brien explained that Congress Group Ventures, a real estate developer, proposes to build rental apartment and hotel in the Northpoint section of the City of Cambridge. She noted that their plan, which has been reviewed through the MEPA process, is consistent with the City of Cambridge plans and with the MDC plans for the New Charles River Basin Extension.
Mrs. O'Brien stated that the developer will be contributing to our park extension under the terms of a Chapter 91 license (required because the development is on former public tidelands) by reconstructing a seawall along Industrial Way and by contributing a parcel of land to the Commission for park purposes.
She then explained that the Commission's proposed park extension will do much to create a more livable environment in the Northpoint area, assuring landscaped public access to the river for recreation and visual pleasure as is the case upstream. The developer, she noted, has requested that the Commission summarize these park plans so that those involved now, or in the future, with the proposed development will have a clear sense of the planned improvements.
Associate Commissioner Whelan expressed his concern with regards to increased traffic in the area caused by the development. Mrs. O'Brien stated that this matter was addressed by MEPA as the project went through the review process.
Following a question and answer period regarding the project, the Commission V O T E D: to confirm the Commission's plans for the New Charles River Basin Esplanade Extension as set forth in the letter from Commissioner Bhatti to Dean F. Stratouly, President, North Federal Properties Limited Partnership, Congress Group Ventures, Inc., General Partner, dated May 29, 1990 -
subject: 15 Monsignor O'Brien Highway
Project - North Point District
Cambridge, Massachusetts
("the Project").

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. VanWart, May 22, recommending approval of the request of the Massachusetts Audubon Society to increase admission fees for the Blue Hills Trailside Museum, as follows:

From -	$1.00 Children	$1.00 Seniors	$2.00 Adults
To -	$1.50 Children	$2.00 Seniors	$3.00 Adults

The Commission V O T E D: Approved as recommended by Mr. VanWart in his report of May 22, 1990.

Action was taken upon the following Various Matters:

3. Report of Concession Selection Committee, May 31, relative to award of Concession at Sandy Beach, Winchester and Artesani Tot-Lot, Brighton for the 1990 Summer Season.
The Commission V O T E D: to award Concession Permits for Sandy Beach, Winchester and Artesani Tot-Lot, as recommended by the Concession Selection Committee in their report of May 31, 1990,

as follows:

LOCATION	CONCESSIONAIRE	COMPENSATION
Sandy Beach Winchester	Ralph Coppola 15 Maple Ave Everett, Ma 02149	$1,500.00 - with an additional $200.00 donation to the Metropolitan Parks Trust Fund.
Artesani Tot-Lot Soldiers Field Rd. Brighton	International Ice Cream P.O. Box 492 Charlestown, Ma 02129	$1,050.00 for the 1990 season.

2. Report of Mr. Iovanna, May 30, submitting for approval and execution of an agreement with the Department of Corrections for the services of committed offenders to assist in maintaining Commission property. Time for Performance June 4, 1990 through October 31, 1990. Estimated cost not to exceed $38,000.00. Account to be determined.
Mr. Lydon explained that the Department of Correction will furnish a sufficient number of work crews to accomplish the purpose of the agreement. The work crews will consist of between four and six committed offenders who will be under the supervision of the Massachusetts Correctional Institution at Shirley, he stated. Each work crew, he noted, will be accompanied by one correctional officer who will supervise the group.
It was pointed out that the work to be performed under terms of the Agreement will be carried out at Stony Brook Reservation.
Upon questioning by Associate Commissioner Whelan, Mr. Lydon stated that no MDC employees will be displaced as a result of the Agreement.
At this point, Associate Commissioner Whelan expressed his concern, and asked that no dangerous offenders, who might put the public in jeopardy, be permitted to participate in the program.
The Commission then requested that Mr. Lydon obtain from the Department of Correction the guidelines used in choosing the participants who will take part in the Program.
Associate Commissioner Jones asked that Mr. Vieira speak with Department of Correction officials to insure that a cross section of offenders are permitted to participate in the program.
The Commission V O T E D: Approved as submitted by Mr. Iovanna in his report of May 30, 1990.
The Secretary then submitted for signature Agreement, dated May 31, 1990, with the Department of Corrections, which was signed by the Commissioner and three Associate Commissioner.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mrs. Anderson, May 25, recommending that the Commission adopt an order of taking for acquisition of 86.7 ± acres of land, owned by Jerald J. Cohen, Trustee, Cheshire-Barre Realty Trust, located in the Town of Sterling, Massachusetts and to approve and award of damages in the amount of $421,000.00.
Associate Commissioner Jones noting that the owner of this land has refused to accept the Commissioner's offer of $421,000.00 questioned where additional funding will come from if the owner sues and damages are awarded by the Court.
Associate Commissioner O'Malley stated that Administration and Finance would be notified of the award and asked by the Commission to request additional funding in the Deficiency Budget.
Following the discussion, Associate Commissioner Jones requested that the Commissioner insure that adequate legal review takes place during the various steps of this and all other Orders of Taking.

The Commission V O T E D: to adopt an order of taking of 86.7 ± acres of land, owned by Jerald J. Cohen, Trustee, Cheshire-Barre Realty Trust. and located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 31, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation and protection purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, shown as Lot 4-A on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Sterling (Worcester County) Massachusetts, Land Taking Plan", dated April 1990, by David E. Ross Associates, Inc., which plan shall be recorded with this order in the Worcester District Registry of Deeds and made a part of this order, namely;

A parcel of land situated on the Southeasterly side of Chace Hill Road in the Town of Sterling, County of Worcester, Commonwealth of Massachusetts and bounded:

NORTHEASTERLY by land now or formerly of Herbert A. Carpenter by one course measuring one thousand one-hundred eighty-three and 28/100 (1183.28') feet;

NORTHWESTERLY by Parcel "A" shown on said plan by one course measuring eight hundred sixty-two and 83/100 (862.83') feet;

NORTHEASTERLY by land now or formerly of M.H.B.B. Realty Trust and land now or formerly of Paul Brodmerkle by three courses totaling one thousand six-hundred fourteen and 57/100 (1614.57') feet;

SOUTHEASTERLY, SOUTHERLY and SOUTHWESTERLY by land of the Boston and Maine Railroad by seven courses, one arc, three courses and one arc totaling three thousand one-hundred sixty-nine and 15/100 (3169.15') feet;

NORTHWESTERLY and WESTERLY by Lot 3-A shown on said plan by two courses totaling nine hundred ninety-five and 23/100 (995.23') feet;
SOUTHWESTERLY by Lot 3-A by one course measuring two hundred five and 42/100 (205.42') feet; and
NORTHWESTERLY by said Chace Hill Road by one course measuring two hundred ninety and 00/100 (290.00') feet, to the point of beginning.

Containing 78.89 acres of land, more or less.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Jerald J. Cohen, Trustee Cheshire-Barre Realty Trust	$ 421,000.00

The Commission further V O T E D: to award damages in the amount of $421,000.00, as provided in Section 3 of Chapter 564 of the Acts of 1987.

1. Report of Mrs. Anderson, May 25, recommending that the Commission adopt an order of taking for acquisition of 22.25 ± acres of land, owned by Kenneth C. Wagner, Shirley L. Wagner and Ralph W. Wagner, Jr., as Heirs and Devisees of Ralph W. Wagner, located in the Town of Sterling, Massachusetts and to approve and award of damages in the amount of $1,000,000.00.

The Commission V O T E D: to adopt an order of taking of 22.25± acres of land owned by Kenneth C. Wagner, Shirley L. Wagner and Ralph W. Wagner Jr., as Heirs and Devisees of Ralph W. Wagner, and located in the Town of Sterling, Massachusetts

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 31, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation and protection purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely, a parcel bounded:

Beginning at a stake and stone on the southerly side of the road leading from Oakdale to Sterling Centre at a corner of land now or formerly of Michael E. Griffin; thence south 42 1/2 degrees west seven hundred fifty-nine (759) feet to a corner; thence south 55 degrees 13' east four hundred eighty-nine and seventy-three hundredths (489.73) feet to a stake and stones; thence south 28 degrees 25' west five hundred ninety-four and thirty-five hundredths (594.35) feet to a monument at land of the Commonwealth of Massachusetts; thence north 47 degrees 13' west five hundred nine (509) feet to a stone monument; thence south 77 degrees west two hundred forty-eight (248) feet to a stone monument; thence westerly three hundred forty (340) feet to a stone monument; thence north 25 degrees west five hundred sixty-eight (568) feet to a stone monument on the southerly side of said road, the last four courses being by land of the Commonwealth of Massachusetts and now or formerly marked by a wire fence; thence sixteen hundred fifty (1650) feet more or less by said road to the point of beginning.

Being the same premises conveyed to Ralph W. Wagner by deed of Chester L. W. Johnson, et ux, dated December 17, 1948, and recorded with Worcester District Registry of Deeds in Book 3153, Page 541.

For a further description, see the plan of land entitled "Plan of Property surveyed for Kenneth C., Shirley L. & Ralph W. Wagner Jr. Muddy Pond Road, Sterling, Massachusetts", dated March 13, 1989, prepared by Central Mass. Land Survey, Inc., and recorded said Deeds as Plan 114 in Plan Book 618.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Kenneth C. Wagner, Shirley L. Wagner, and Ralph W. Wagner, Jr., as Heirs and Devisees of Ralph W. Wagner, Worcester County Probate No. 84P1688.	$ 1,000,000.00

The Commission further V O T E D: to award damages in the amount of $1,000,000.00, as provided in Section 3 of Chapter 564 of the Acts of 1987.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from May 7, 1990 to May 14, 1990.

Expenditures	$262,521.48
Summer Youth	$ 744.49

Adjourned at 1:20 p.m. to meet on Thursday, June 7, 1990 at 10:00 a.m.

William F. Cronin
Secretary

Record of the Three Thousand Five Hundred and Thirtieth (3530th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 7, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, and Whelan.

The Records of the Meeting held on May 17, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

1. Contract No. P90-1580-M1A, dated June 7, 1990, with Coviello Electric and General Contracting Co., Inc., for Electronic and Sound System Maintenance and Repair Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System, FY91 and FY92.

2. Contract No. P90-1579-M1A, dated June 7, 1990, with Coviello Electric and General Contracting Co., Inc., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan Parks System, FY91 and FY92.

3. Contract No. P87-1456-C1A, dated June 7, 1990, with John Mahoney Construction Co./ Whittier Equipment Corp., for Installation of Safety Fencing, Georges Island, Boston Harbor, Massachusetts.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Kirwin, May 7, recommending the following on Contract No. P87-1480-M3A, with Tri-State Signal Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
(a) That work be accepted as completed as of January 31, 1990.
(b) That Estimate No. 27 (Final), in the amount of $20,695.66, be approved for payment.
(c) That reserve, in the amount of $7,056.26, be approved for payment.

(Basis of Award	-	$645,760.00)
(Total to Date	-	$603,445.96)
(Contract Administration Rating	-	3.43)
(EEO Compliance	-	3.50)

The Commission V O T E D: that the work of Tri-State Signal Inc., Contractor under contract No. P87-1480-M3A, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts, be and hereby is accepted as completed as of January 31, 1990.
The Commission further V O T E D: to approve Estimate No. 27 (Final), in the amount of $20,695.66, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $7,056.26, for payment.

5. Report of Mr. Faucher and Ms. Jones, May 23, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1589-M1A, Painting of Lines for Parking Spaces at Various Locations in the Greater Boston Area. Estimated Cost $22,000.00 - Account No. 2444-9001-12.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise.

6. Report Messrs. Faucher and DeLuca, May 23, recommending approval of the following on Contract No. P89-1551-M1A, with Allied Weatherproofing Co., Inc., for Servicing Filtration & Sterilization Systems -
(a) Extra Work Order No. 1 (Emergency) at a cost of $6,524.59 for excavation of main drain at the Vietnam Veterans Pool, Chelsea, to locate and repair major leaks.
(b) An extension of time on the Contract from April 10,

1990 to May 31, 1990 to complete the emergency repair to filter tanks.
(At no additional obligation to the Commission as increase will be offset by unused quantities in other items).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $6,524.59.
The Commission further V O T E D: to approve an extension of time, from April 10, 1990 to May 31, 1990, as recommended by Messrs. Faucher and DeLuca, in their report of May 23, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Mr. Lespasio, May 24, requesting that the Commission approve a Contract-Agreement, for Transportation Project Coordinator Services, with Jayne Brady. Maximum obligation not to exceed $37,985.00 for direct compensation and $2,000.00 for reimbursables. Time for Performance July 1, 1990 to June 30, 1991. Account Numbers 2490-0010 and 2490-0009.
The Commission V O T E D: Approved as recommended by Mr. Lespasio in his report of May 24, 1990.

2. Report of Messrs. Faucher and Lenhardt, May 29, recommending approval of an extension of time from December 31, 1990 to August 30, 1991 and increase contract obligation from $296,967.00 to $321,967.00, on Contract-Agreement No. P84-1276-D2A, with Hoyle, Tanner and Associates, Inc., for Professional Engineering Services for Repairs to Bridges, Parkways and other Facilities of the Metropolitan District Commission, due to the following: The Division is awaiting approval of EOEA to advertise a new Engineering Services Contract.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Lenhardt in their report of May 29, 1990.

3. Report of Messrs. Faucher and Lespasio, May 31, recommending approval of sub-consultant Nelson Engineering, for survey work on Commercial Street, Lynn for a sum of $1,815.00, on Contract-Agreement No. P82-1047-D1C, with Howard Needles Tammen and Bergendoff, for Rehabilitation/ Reconstruction of the General Edwards Bridge, Lynnway and Carroll Highway, Lynn, Massachusetts. (At no increase in the upset limit of the Contract).
On questioning by Associate Commissioner Jones, Mr. Lespasio stated that the approved sub-consultant finished work on the Lynnway in early 1989. Subsequently, Howard Needles Tammen and Bergendoff (HNTB) determined that additional survey work was required on Commercial Street and retained the services of Nelson Engineering without obtaining prior Commission approval.
Mr. Lespasio noted that this matter did not surface until HNTB submitted an estimate for payment ten months after the survey work was completed.
Associate Commissioner Jones expressed his displeasure with the action of HNTB in failing to notify and obtain Commission approval for use of the new sub-consultant.
The Commission then requested that Mr. Lespasio advise HNTB by letter of the Boards displeasure with the firms failure to obtain approval prior to engaging the services of a new sub-consultant.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of May 31, 1990.

4. Report of Mr. Faucher, May 31, recommending that the Commission approve Contract-Agreement No. P86-1402-X5A, for Project Planner-Transportation Services, with Mary F. Clutchey. Total Compensation $40,512.00, which includes $1,200.00, in reimbursables. Time for Performance July 1, 1990 to June 30, 1991. Account No. 2490-0012.
The Commission V O T E D: Approved as recommended by Mr. Faucher in his report of May 31, 1990.

5. Report of Messrs. Faucher and Arinella, May 31, on bids for Repairs to Broken 4" Water Supply Fiberglass Reinforced Pipe at the Charles River Dam, Charlestown, Contract No. P90-1577-C2A. Account No. 2440-7893.
(Messrs Faucher and Arinella recommend acceptance of the low bid,

that of Raccuia Brothers Company, of $12,998.40).
The Commission V O T E D: to accept the lowest bid, that of Raccuia Brother Company, of $12,998.40.

1. Report of Mr. Faucher and Ms. Peterson, May 31, recommending approval of revision in quantities on the following:

Item No. 011-010 -	Adjustment of Bascule Span Limit Switches	- $2,250.00
Item No. 011-020 -	Adjustment of Center Lock Limit Switches	- $1,125.00
Item No. 011-050 -	Installation of Electrical Replacement Parts	- $4,500.00
Item No. 013-010 -	Traffic Control Services	- $8,450.00

on Contract No. P82-1051-C2A, with Goudreau Corporation, Inc., for Repair of Craigie Drawbridge, Charles River Dam Road over Charles River, Boston.
(No additional funding required as increase will be offset by unused quantities in other items).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Peterson in their report of May 31, 1990.

2. Report of Messrs. Faucher and Okeke, May 1, on bids for Testing and Installation of Permanent Ground Well System at Trailside Museum, Contract No. P90-1584-C1A.
Account No. 2440-0012.
(Messrs. Faucher and Okeke recommend acceptance of the only bid received, that of American Artesian Well Co., Inc., of $18,600.00).
The Commission V O T E D: Held Over - as requested by Mr. Brooks.

Action was taken upon the following matter relating to the Office of Landscape Architect:

3. Report of Mr. Jackson, May 24, on bids for 1990 Parkway Landscape Improvements, Contract No. P90-1573-C1A. Account No. 2490-8881.
(Mr. Jackson recommends acceptance of the low bid, that of Brightway Corporation, of $163,880.00).
The Commission V O T E D: to accept the lowest bid received, that of Brightway Corporation, of $163,880.00.

Action was taken upon the following matter relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Kane, May 31, on bids for Removal and Replacement of Underground Storage Tanks, Contract No. WM91-100-C1A. Account No. 2490-8881.
(Messrs. McGinn and Kane recommend acceptance of the low bid, that of P. R. Johnson, Inc., of $645,500.00).
The Commission V O T E D: to accept the lowest bid received, that of P. R. Johnson, Inc., of $645,500.00.

Action was taken upon the following matter relating to the Central Services Division:

5. Report of Mr. Lydon, May 29, on bids for Pest Control Services for Various MDC Facilities, FY91. Account No. 2440-0010.
(Mr. Lydon recommends acceptance of the bid of Systems Exterminating Services of $50.00 per call and $50.00 per call for Harbor Islands).
The Commission V O T E D: to accept the bid of Systems Exterminating Services of $50.00 per call and $50.00 per call for Harbor Islands, as recommended by Mr. Lydon in his report of May 29, 1990.

Action was taken upon the following Various Matter:

6. Report of Mr. Traficante, May 31, requesting that the Commission extend the time of performance on Contract-Agreements with Evelyn Feld, as Survey Archivist - Records Management Analyst, with total compensation of $6,850.00 and Robin Clark, as Archival Assistant, with total compensation of $3,300.00, from June 30, 1990 to October 31, 1990.

Also requesting approval of a new Contract-Agreement with Paula Shinnick as Archival Assistant for one day a week during the months of July and August with compensation not to exceed $630.00. Account No. 2410-9000.
(Funding to be provided through a grant from the National Historic Publications and Records Commission).
The Commission V O T E D: Approved as requested by Mr. Traficante in his report of May 31, 1990.

Action was taken upon the following matters relating to the Police Division:

1. Report of Deputy Superintendent Kelley, June 1, requesting approval to renew a Contract with the Office of Lawrence J. Ball, Attorney, to represent the Police Division and the Commission in personnel matter involving the Civil Service Commission and applicable labor organizations. Total Compensation $15,500.00. Time for Performance will be July 1, 1990 through June 30, 1991. Account No. 2440-0015-03.
The Commission V O T E D: Approved as requested by Deputy Superintendent Kelley in his report of June 1, 1990.

2. Report of Deputy Superintendent Kelley, June 1, requesting approval to renew a Contract with Attorney Brian F. Gilligan, for providing legal services on an intermittent basis to address various labor and civil matters. Total Compensation not to exceed $3,000.00. Time for Performance will be July 1, 1990 through June 30, 1991. Account No. 2440-0015-03.
The Commission V O T E D: Approved as requested by Deputy Superintendent Kelley in his report of June 1, 1990.

3. Report of Deputy Superintendent Kelley, June 1, requesting blanket authorization for veterinary services for Metropolitan Police horses and police dogs. Time for Performance July 1, 1990 through June 30, 1991. Total Compensation not to exceed $8,000.00. Account No. 2440-0015-03.
The Commission V O T E D: Approved as requested by Deputy Superintendent Kelley in his report of June 1, 1990.

4. Report of Deputy Superintendent Kelley, June 1, requesting blanket authorization for psychological evaluation services for the Metropolitan Police Division. Time for Performance July 1, 1990 through June 30, 1991. Total Compensation not to exceed $2,500.00. Account No. 2440-0015-03.
Deputy Superintendent Kelley spoke of a reduction in available funds for this and other service accounts in the FY91 budget. Therefore, he noted, funding for this service has been reduced. Associate Commissioner Jones noting the importance of this service requested that available funding for this item be reviewed periodically to insure that an adequate balance is maintained. If it appears that funds will drop below a safe level, Associate Commissioner Jones suggested that the Police Division return to the Commission with a request for additional funding.
The Commission V O T E D: Approved as requested by Deputy Superintendent Kelley in his report of June 1, 1990.

5. Report of Deputy Superintendent Kelley, June 1, requesting blanket authorization for hospital, medical, and surgical services for officers who are injured in the line of duty. Time for Performance July 1, 1990 through June 30, 1991. Total Compensation not to exceed $60,000.00. Account No. 2440-0015-03.
Associate Commissioner Jones noting the importance of this service requested that available funding for this item be reviewed periodically to insure that an adequate balance is maintained. If it appears that supporting funds will drop below a safe level, Associate Commissioner Jones suggested that the Police Division return to the Commission with a request for additional funding.
The Commission V O T E D: Approved as requested by Deputy Superintendent Kelley in his report of June 1, 1990.

6. Report of Deputy Superintendent Kelley, June 1, requesting

blanket authorization for custodial care of detainees held in Metropolitan Police Division jail cells. Time for Performance July 1, 1990 through June 30, 1991. Total Compensation not to exceed $1,500.00. Account No. 2440-0015-03.
Associate Commissioner Jones noting the importance of this service requested that available funding for this item be reviewed periodically to insure that an adequate balance is maintained. If it appears that supporting funds will drop below a safe level, Associate Commissioner Jones suggested that the Police Division return to the Commission with a request for additional funding.
The Commission V O T E D: Approved as requested by Deputy Superintendent Kelley in his report of June 1, 1990.

1. At this point, Associate Commissioner Whelan requested that Mr. Iovanna, who was in attendance at the meeting, update the Commission on the status of the New England Pro Am Hockey League (NEPAHL) bill for use of the Devine Rink, Dorchester, during 1989.
Mr. Iovanna explained that on May 17, 1990, a letter was sent to New England Pro Am, attention of Robert O'Connell, in care of Murray an Murray Attorneys at Law, explaining that the MDC has not received payments for a billing mailed on April 12, 1990. In his letter, Mr. Iovanna stated that he was demanding the immediate and full payment of the outstanding balance of $46,169.73 for use of the Devine Rink, during 1989.
Mr. Iovanna pointed out that on May 17, 1990, he also referred the matter to Legal Counsel as an account in serious arrears and requested that steps be taken to move forward with appropriate action for collection.
On questioning by the Commission, Mr. Iovanna stated that New England Pro Am has been in default since July, 1989.
Commission Bhatti noted that the MDC has gone as far as possible in attempting to collect the money owed by New England Pro Am without success. He then stated that the Commission is now obligated to take further steps, including referral of the matter to the Attorney General, for resolution.
The Commission V O T E D: to authorize Commissioner Bhatti to take whatever steps necessary to have the matter referred to the Attorney General for collection.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, May 25, recommending approval of an open order contract not to exceed $250,000.00 for essential design services needed during the construction of Harborpoint Park, South Boston. Account No. 2440-8885.
Mrs. O'Brien presented a brief history of MDC involvement with Harborpoint Park, noting it will be part of a continuous shoreline park system from Castle Island to the Neponset River upon completion. The land for the proposed park, she explained, was conveyed to the Commission by the Boston Housing Authority.
Mrs. O'Brien then explained that the design for the park was prepared by Carol Johnson Associates along with various sub-consultants and was paid for by the developer, Harborpoint Apartments Company, under the terms of the required Department of Environmental Protection, Chapter 91 license, she noted. Mrs. O'Brien then stated that the park was created to provide a public benefit under the terms of the Chapter 91 license, which required that the developer spend not less than $300,000.00, nor more than $500,000.00 for design services. Mrs. O'Brien stated that the design has been completed and was accepted by the Commission, at the Meeting of February 15, 1990; and is now ready to be advertised for bids for the construction phase of the project.
Mrs. O'Brien explained that it is now essential that the services of the design team be available to the Commission for the construction phase. She then stated that the developer has agreed to contribute $25,000.00 for the design services.
At this point, Mrs. O'Brien explained that the $250,000.00 open order contract was being recommended to assure that the same design team is available for the construction phase, thus assuring continuous professional responsibility and liability;

that field conditions can be promptly reviewed and managed; and that record drawings will be properly completed. She then noted that six consultants will be involved in the work with coordination provided by Engineering and Construction Division staff.
On questioning by the Commission, Mr. Jewett explained that the Commission will enter into individual contracts with each of the six consultants, with each contract being submitted individually to the Commission for approval.
Following a lengthy discussion concerning the project, the Commission V O T E D: to approve an open order contract for Harborpoint Park, for design services during construction at a cost not to exceed $250,000.00. Funds are available in Account No. 2440-8885.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mrs. Anderson, June 1, recommending that the Commission adopt an Order of Taking for acquisition of 18± acres of land owned by Gerald Kristoff, George W. Kristoff, Paul M. Sushchyk, Trustee of the John D. Kristoff Trust/1988, Kevin P. Kristoff and William W. Cotting, Jr., Co-Guardians of the Estate of Joseph P. Kristoff, located in the Town of Sterling, Massachusetts and to approve an award of damages in the amount of $473,000.00.
The Commission discussed in detail the process used for evaluating and reviewing land takings and awards by the staff of the Real Property Office and their independent consultants, including independent fee appraisers and title attorneys.
The Commission then referred to a memorandum from Commissioner Bhatti to the Associate Commissioners, dated June 1, 1990, in which he stated and confirmed that established procedures exist for review of all land takings and awards. Mrs. Anderson then outlined the process from its origin to finish.
A lengthy discussion followed, during which it was noted that the awards requested by the real property office for damages were arrived at as a result of recommendations by independent fee appraisers and the staff of the Real Property Office.
Mrs. Anderson pointed out that, in each case where the owner does not accept the award amount offered by the Real Property Office in full settlement of land taking damages, the owner is legally entitled to accept a further award of damages in settlement after the taking is recorded, if such an additional award is requested by the Real Property Office and so voted by the Commission, or sue the Commonwealth for additional damages.
Associate Commissioners Jones and Whelan noted that they are voting approval of this item, but in some instances they may request review of specific land taking matters by Legal Counsel prior to Commission action.

The Commission V O T E D: to adopt an Order of Taking for acquisition of 18± acres of land owned by Gerald Kristoff, George W. Kristoff, Paul M. Sushchyk, Trustee of the John D. Kristoff Trust/1988, Kevin P. Kristoff and William W. Cotting, Jr., Co-Guardians of the Estate of Joseph P. Kristoff, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 7, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts shown on a plan entitled "Plan of Property Surveyed for Joseph Kristoff and the Estate of George Kristoff Dana Hill & John Dee Roads, Sterling, Massachusetts", dated June 28, 1988, prepared by Central Mass. Land Survey, Inc., and recorded with the Worcester District Registry of Deeds as Plan 24 in Plan Book 602, which plan shall be made a part of this order, namely:

Two tracts of land in said Sterling bounded and described as follows:

TRACT 1: A certain tract of land situated on the westerly side of John Dee Road and the southeasterly side of Dana Hill Road, beginning at a point on the westerly side of said John Dee Road and at the southeasterly corner of Lot 7 as shown on said plan; thence

EASTERLY	by John Dee Road, nine hundred and 22/100 (900.22) feet to the southeasterly corner of Lot 12 and to land now or formerly of Edward J. and Janice E. Troisi;
SOUTHERLY	by land of said Troisi and land now or formerly of Robert I. Cohen and Carol R. Proctor, and land now or formerly of Stephen J. Fox, seven (7) distances a total of nine hundred thirty-three and 95/100 (933.95) feet to Route I-190 as shown on said plan;

WESTERLY	by said Route I-190 two (2) distances a total of three hundred seventy-nine and 48/100 (379.48) feet to land of the Commonwealth of Massachusetts;
NORTHERLY	by land of said Commonwealth one hundred thirty-one and 28/100 (131.28) feet to the southwesterly corner of Lot 11;
WESTERLY	by Lots 11 and 10 and a portion of Lot 5, along land of said Commonwealth and said Route I-190, three (3) distances a total of seven hundred forty (740) feet to a monument;
SOUTHWESTERLY	by the remaining portion of Lot 5 and said Route I-190 one hundred thirty-seven and 19/100 (137.19) feet to the southeasterly side of Dana Hill Road;
NORTHWESTERLY	by Lots 5 and 6 along Dana Hill Road to the northwesterly corner of Lot 7 two hundred twenty-two and 61/100 (222.61) feet;
EASTERLY	by Lot 7 one hundred seventeen and 59/100 (117.59) feet; and
NORTHERLY	by Lot 7 two hundred ninety-seven and 34/100 (297.34) feet to the point of beginning.

Containing 14.92 acres by the same measurements, more or less.

TRACT 2: A certain tract of land situated on the northwesterly side of Dana Hill Road and the southeasterly side of John Dee Road, beginning at a point on the northeasterly corner of Lot 4 on the southeasterly side of said John Dee Road as shown on said plan; thence

NORTHEASTERLY	by Lot 4 along said John Dee Road, one hundred thirty-nine and 87/100 (139.87) feet;
EASTERLY	by a curve at the intersection of said John Dee Road and Dana Hill Road, an arc length of twenty-five and 13/100 (25.13) feet;
SOUTHEASTERLY	by Lots 4, 3 and 2 along said Dana Hill Road, three (3) distances a total of five hundred twenty-two (522) feet;
SOUTHWESTERLY	by Lot 1 four hundred thirteen and 56/100 (413.56) feet to Route I-190;
NORTHWESTERLY	by said Route I-190 fifty-nine and 34/100 (59.34) feet to land of the Commonwealth of Massachusetts; and
NORTHERLY	by land of said Commonwealth four hundred

forty-nine and 86/100 (449.86) feet to the point of beginning.

Containing 3.48 acres by the same measurements, more or less.

Meaning and intending to take hereby all that land shown on said plan as Lots 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12, and including any fee interest in and to Dana Hill Road and John Dee Road which may be held by the owners of the aforementioned Lots, as such Lots abut said public roads.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Gerald Kristoff, George W. Kristoff, Jr., Paul M. Sushchyk, Trustee of the John D. Kristoff Trust/1988, William W. Cotting, Jr., and Kevin Kristoff, Co-Guardians of the Estate of Joseph P. Kristoff	$ 473,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $473,000.00.

1. Report of Mrs. Anderson, June 4, recommending that the Commission adopt an Order of Taking for acquisition of 33.75± acres of land, owned by Robert F. Cutler, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $315,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages were arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 33.75± acres of land, owned by Robert F. Cutler, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 7, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts shown on a plan entitled "Land Taking Plan for Watershed Protection, in Town of Sterling, County of Worcester", prepared by Greenman-Pedersen, Inc., dated June 1, 1990, which plan shall be recorded with this order in the Worcester District Registry of Deeds and made a part of this order, namely, a parcel bounded:

Beginning at a Massachusetts state highway stone bound with drill hole in the westerly layout line of Interstate-Route 190 at the southeasterly corner of this parcel and at other land of Robert F. Cutler, shown as an angle point being 275.00 feet to the left of Sta. 534 + 50.00 of main baseline south, on sheet 1 of 9 of layout no. 6343;

THENCE N. 28 degrees 50' 12" E. along the said highway layout a distance of three hundred seventy-seven and ninety-two hundredths (377.92) feet to a drill hole in a stone bound found;
THENCE N. 33 degrees 00' 48" E. along the said highway layout a distance of one hundred twenty-seven (127) feet more or less to a point on the centerline of a river called Stillwater River;
THENCE along the centerline of the said Stillwater River in a northwesterly direction a distance of two thousand four hundred fifty-five (2,455) feet more or less to a point on the centerline of the said River, bounding on land of the Commonwealth of Massachusetts and land of Henry J. Ciborowski;

THENCE S. 67 degrees 21' 40" W. a distance of fifteen (15) feet more or less to a point;

THENCE N. 51 degrees 03' 40" W. a distance of twelve (12) feet more or less to an iron rod found;

THENCE N. 51 degrees 03' 40" W. a distance of four hundred twenty-seven and twenty hundredths (427.20) feet to an iron rod found on the southerly sideline of Crowley Road; the previous three (3) courses bounding on the land of Henry J. Ciborowski;

THENCE S. 73 degrees 55' 30" W. a distance of ninety-nine (99) feet along the southerly sideline of said Crowley Road to an iron rod found;

THENCE S. 46 degrees 09' 59" W. a distance of two hundred eighty and forty-one hundredths (280.41) feet to an iron rod found, bounding on the land of Charles E. Smith;

THENCE S. 22 degrees 01' 24" E. a distance of six hundred thirty-five and forty-six hundredths (635.46) feet to an iron rod found, bounding on the land of Walter A. Janowicz;

THENCE S. 38 degrees 51' 34" E. a distance of two thousand two hundred ninety-two and nineteen hundredths (2,292.19) feet along the remaining land of Robert F. Cutler to the point of beginning.

Containing 33.75 acres of land by the same measurements more or less.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Robert F. Cutler	$ 315,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $315,000.00.

1. Report of Mrs. Anderson, June 6, recommending that the Commission adopt an Order of Taking for acquisition of 12± acres of land owned by Mark Shippole, Trustee, Brigham Street Realty Trust, in the Town of Boylston, Massachusetts and to approve an award damages in the amount of $65,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages were arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 12± acres of land owned by Mark Shippole, Trustee, Brigham Street Realty Trust, in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 7, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts shown on a plan entitled "Commonwealth of Massachusetts Metropolitan District Commission Division of Watershed Management, Boylston (Worcester County) Mass., Land Taking Plan for Watershed Protection", prepared by Merrimack Engineering Services, Inc., dated June 6, 1990, which plan shall be recorded with this order in the Worcester District Registry of Deeds and made a part of this order, namely:

A certain parcel of land shown as Parcel I on said plan, located on the northerly side of Diamond Hill Road, beginning at the southwest corner at a drill hole in a stone wall at land now or formerly of Seymour and the northerly sideline of Diamond Hill Road,

RUNNING N. 18 degrees 56' 57" E. 249.63 feet along land now or formerly of Seymour to a point;
THENCE N. 22 degrees 56' 30" E. 278.00 feet along land n/f of Seymour to a point;
THENCE S. 73 degrees 30" 06" W. 475.61 feet along land n/f of Seymour to a point at a drill hole at land now or formerly of Keulian;
THENCE N. 16 degrees 28' 25" W. 221.49 feet along a stone wall at land n/f of Keulian to a point at a drill hole;
THENCE S. 78 degrees 13' 18" W. 125.14 feet along a stone wall at land n/f of Keulian to a point at a drill hole;

THENCE N. 03 degrees 32' 02" W. 163.86 feet along a stone wall at land n/f of Keulian to a point at a drill hole;

THENCE N. 04 degrees 55' 34" W. 203.12 feet along a stone wall at land n/f of Keulian to a point at a drill hole;

THENCE N. 09 degrees 42' 26" E. 5.93 feet along a stone wall at land n/f of Keulian to a point at a drill hole;

THENCE N. 40 degrees 47' 23" W. 444.46 feet along a stone wall at land n/f of Keulian to a point at a drill hole;

THENCE N. 13 degrees 47' 21" E. 163.02 feet along a stone wall at land n/f of Keulian to a point at a drill hole at land of the Commonwealth of Massachusetts;

THENCE N. 56 degrees 37' 47" E. 191.04 feet along land of said Commonwealth to a point at a stone bound;

THENCE S. 16 degrees 51' 43" E. 328.12 feet along land of said Commonwealth to a point at a stone bound;

THENCE S. 68 degrees 52' 28" E. 316.50 feet along land of said Commonwealth to a point at a stone bound at land n/f of Jasiak;

THENCE S. 45 degrees 02' 11" E. 672.16 feet along land n/f of Jasiak and n/f of Brigham Street Realty Trust;

THENCE S. 23 degrees 02' 12" W. 429.96 feet along land n/f of said Trust to a point at an iron post;

THENCE S. 18 degrees 38' 04" W. 228.56 feet along land n/f of said Trust to a point at a stone wall on the northerly sideline of Diamond Hill Road;

THENCE N. 86 degrees 06' 58 W. 24.03 feet along a stone wall and the northerly sideline of Diamond Hill Road to a point at a drill hole;

THENCE S. 86 degrees 27' 12" W. 30.39 feet along a stone wall and the northerly sideline of Diamond Hill Road to the point of beginning.

Containing 502,737 square feet or 11.541 acres of land, more or less.

Meaning and intending to take the above premises, howsoever the same may be bounded and described.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits,

pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Mark Shippole, Trustee Brigham Street Realty Trust	$ 65,000.00

The Commission further V O T E D: to approve an award damages in the amount of $65,000.00.

1. Report of Mrs. Anderson, June 6, recommending that the Commission adopt an Order of Taking for acquisition of 21.25 ± acres owned by Ann Marie Jasiak located in the Town of Boylston, Massachusetts and to approve an award damages in the amount of $62,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages were arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 21.25 ± acres owned by Ann Marie Jasiak located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 7, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts shown on a plan entitled "Commonwealth of Massachusetts Metropolitan District Commission Division of Watershed Management, Boylston (Worcester County) Mass., Land Taking Plan for Watershed Protection", prepared by Merrimack Engineering Services, Inc., dated June 6, 1990, which plan shall be recorded with this order in the Worcester District Registry of Deeds and made a part of this order, namely:

Parcel 1: A certain parcel of land shown on said plan as Parcel II, located 658.52 feet north of the northerly sideline of Diamond Hill Road, beginning at the southerly corner at land now or formerly of Jasiak and land now or formerly of Brigham Street Realty Trust, at a point 658.52 north of the northerly sideline of Diamond Hill Road,

RUNNING N. 23 degrees 25' 21" W. 202.40 feet along land n/f of Jasiak to a point;
THENCE N. 37 degrees 03' 48" E. 1,100.00 feet along land n/f of Jasiak to a point at a drill hole at lands n/f of Jasiak, Stowe and Stanton;
THENCE S. 28 degrees 42' 40" W. 1,212.57 feet along land n/f of Jasiak to a point at land n/f of Brigham Street Realty Trust to the point of beginning.

Containing 96,874 square feet or 2.224 acres of land, more or less.

LOCATION OF PROPERTY: DIAMOND HILL ROAD, BOYLSTON, MASSACHUSETTS

Parcel 2: A certain parcel of land shown on said plan as Parcel III, located 658.52 feet north of the northerly sideline of Diamond Hill Road, beginning at the southeasterly corner at land now or formerly of Jasiak and land now or formerly of Brigham Street Realty Trust, at a point 658.52 feet north of the northerly sideline of Diamond Hill Road,

RUNNING N. 45 degrees 02' 11 W. 672.16 feet along land n/f of said Trust to a point at a stone bound at land of the Commonwealth of Massachusetts;
THENCE N. 00 degrees 12' 32" E. 148.53 feet along land of the Commonwealth to a point at a stone bound;
THENCE N. 21 degrees 12' 41" W. 266.73 feet along land of the Commonwealth to a point at a stone bound;
THENCE N. 44 degrees 25' 29" W. 134.58 feet along land of the Commonwealth to a point at a stone bound;
THENCE N. 54 degrees 53' 55" W. 58.72 feet along land of the Commonwealth to a point at a drill hole in a stone wall;
THENCE N. 57 degrees 05' 06" E. 572.91 feet along land of the Commonwealth to a point at a drill hole in a stone wall at land n/f of Stowe;
THENCE S. 78 degrees 48' 46" E. 338.86 feet along a stone wall at land n/f of Stowe to a point at a drill hole;
THENCE S. 78 degrees 08' 21" E. 287.51 feet along a stone wall at land n/f of Stowe to a point at a drill hole;
THENCE S. 58 degrees 11' 16" E. 237.22 feet along a stone wall at land n/f of Stowe to a point at a drill hole at land n/f of Stanton and land n/f of Jasiak;
THENCE S. 37 degrees 03' 48" W. 1,100.00 feet along land n/f of Jasiak to a point;
THENCE S. 23 degrees 25' 21" E. 202.40 feet along land n/f of Jasiak to a point at land n/f of Jasiak and land n/f of said Trust to the point of beginning.

Containing 826,710 square feet or 18.979 acres of land, more or less.

Meaning and intending to take the above premises, howsoever the same may be bounded and described.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of

The Commission further V O T E D: to approve an award damages in the amount of $62,000.00.

Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Ann Marie Jasiak	$ 62,000.00

1. The following matter was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from May 14, 1990 to May 21, 1990.

Expenditures	$283,635.75
Summer Youth	$ 709.71

Adjourned at 1:25 p.m. to meet on Thursday, June 21, 1990 at the Quabbin Administration Building, Belchertown, at 11:00 a.m.

William F. Cushman
Secretary

Record of the Three Thousand Five Hundred and Thirty First (3531st) meeting of the Metropolitan District Commission duly called and held at the Quabbin Administration Building, Belchertown, Massachusetts, on Thursday, June 21, 1990 at 11:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on May 24 and May 31, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. First Amendments, dated June 21, 1990, to Contract-Agreements with Evelyn Feld and Robin Clark and Contract-Agreement, dated June 21, 1990, with Paula Shinnick all for Archival Services.

2. Contract-Agreement, dated June 21, 1990, with Jayne Brady, for Transportation Project Coordinator Services.

3. Contract-Agreement, dated June 21, 1990, with Mary F. Clutchey, for Project Planner Transportation Services.

4. Contract No. WM91-100-C1A, dated June 21, 1990, with P. R. Johnson, Inc., for Removal and Replacement of Underground Storage Tanks.

Action was taken upon the following matter relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher and Okeke, May 1, on bids for Testing and Installation of Permanent Ground Well System at Trailside Museum, Contract No. P90-1584-C1A. Account No. 2440-0012. (Messrs. Faucher and Okeke recommend acceptance of the only bid received, that of American Artesian Well Co., Inc., of $18,600.00).
The Commission V O T E D: to accept the only bid received that of American Artesian Well Co., Inc., of $18,600.00.

6. At this point, Mr. Arthur Coolidge and Mrs. Doris Cornwell, who serve as rain gaugers for the Commission in the watershed area, were introduced.
The Commission expressed its appreciation to both individuals, and to those rain gaugers who could not be in attendance at today's meeting, for their important contributions to the Metropolitan District Commission.
On motion of Associate Commissioner Jones, which was seconded and approved, the Commission directed the Secretary to prepare and send a letter of commendation to the rain gaugers, thanking them for their important service to the Commission and residents of the Commonwealth of Massachusetts.

Action was taken upon the following matters relating to the Office of Real Property:

7. Report of Mrs. Anderson, June 14, recommending that the Commission adopt an Order of Taking for acquisition of 5.63 ± acres of land owned by Stillwater Meadows, Inc., located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $165,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of a recommendation made by independent fee appraisers and staff of the Real Property Office.
Following a lengthy discussion concerning the proposed land takings, the Commission requested that Mrs. Anderson provide the following information, concerning the land takings, for the files of the Secretary's Office:
(a) The process used in selecting those who will perform the appraisals for the Commission.

(b) A copy of the Memorandum from Secretary DeVillars, dated January 10, 1990, which outlines in detail the Executive Office of Environmental Affairs (EOEA) Land Acquisition Policies and Procedure to be followed by all Departments under the control of EOEA.

The Commission V O T E D: to adopt an Order of Taking for acquisition of 5.63 ± acres of land owned by Stillwater Meadows, Inc., located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts shown on a plan entitled "Plan of Land Located in Sterling Mass. Belonging to Gustaf E. Matson and Victor A. Matson", prepared by W.A. Nelson, C.E., dated August 19, 1944, and recorded with the Worcester District Registry of Deeds as Plan 58 in Plan Book 137, and made a part of this order, namely:

A certain parcel of land shown as Parcel C on said plan,

BEGINNING at an iron pipe set in the westerly line of Greenland Road, at the southeasterly corner of land conveyed to Gustav E. Mattson by Victor A. Mattson;

THENCE S. 75 degrees 38' W. five hundred fourteen and seven-tenths (514.7) feet to an iron pipe set in the line of an old wire fence;

THENCE S. 19 degrees 04' E. by said old wire fence, one hundred two and forty-eight hundredths (102.48) feet to an iron pipe;

THENCE S. 37 degrees 03' W. one hundred thirty (130) feet to the center of the Stillwater River; the foregoing three (3) lines being by land conveyed by Gustav E. Mattson to Victor A. Mattson;

THENCE angling down said Stillwater River to a point at land now or formerly of Erick W. Jussila;

THENCE N. 43 degrees 37' E. seventy-two (72) feet to an iron pipe at said Jussila land;
THENCE N. 15 degrees 8' W. by said Jussila land, four hundred fifty-two (452) feet to an iron pipe;
THENCE N. 72 degrees 48' E. by said Jussila land, three hundred seventy-one and seventy-six hundredths (371.76) feet to an iron pipe in the westerly line of Greenland Road;
THENCE northwesterly by said line of Greenland Road, two hundred seventy-five and forty-six hundredths (275.46) feet to the point of begining.

Containing 5.63 acres of land, more or less.

Being the same premises conveyed by Stephen C. McKenney to Stillwater Meadows, Inc., by deed dated August 24, 1989, and recorded with said Deeds in Book 12292, Page 4.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any fee interest in Greenland Road which may be held by the supposed owner of record, since said premises abuts said Greenland Road.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Stillwater Meadows, Inc.	$ 165,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $165,000.00.

1. Report of Mrs. Anderson, June 14, recommending that the Commission adopt an Order of Taking for acquisition of 42 ± acres of land owned by Mount Grace Land Conservation Trust, Inc., located in the Town of New Salem, Massachusetts, and to approve an award of damages in the amount of $93,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of a recommendation and data supplied by independent fee appraisers and staff of the Real Property Office.
On questioning by the Commission, Mrs. Anderson responded that Mount Grace Land Conservation Trust, Inc. (MGLCTI), has agreed to accept the offer of $93,000.00, which is $22,000.00 less that the appraised value of the land.
Associate Commissioner Jones questioned if by offering less than the appraised value, the Commission would be responsible for eroding MGLCTI's land purchasing ability.
It was then pointed out that MGLCTI was informed of the appraised value of the property and negotiated the final figure in its own best interests.
Mrs. Anderson noted that MGLCTI is willing to accept the offer so that it will be in compliance with the provisions of State law regarding tax exempt status.
Associate Commissioner Whelan requested that the Commission be provided with a copy of MGLCTI's letter in which the President of the Trust agreed to accept the Commission's offer of $93,000.00 for the land.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 42 ± acres of land owned by Mount Grace Land Conservation Trust, Inc., located in the Town of New Salem, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of New Salem in the County of Franklin and Commonwealth of Massachusetts shown on a plan entitled "Plan of Land in New Salem, Mass. Owned by Harold W. and Madeleine G. Chisholm", prepared by Maxwell Fewkes, dated October 1973, and recorded with the Franklin County Registry of Deeds in Plan Book 39, Page 62, which plan is made a part of this order, namely, a parcel bounded:

WESTERLY by the highway leading from Morse Village to New Salem Hill, now known as North Main Street;
SOUTHERLY by land now or formerly of Ward;
EASTERLY by land of said Ward and the Old County Road, now known as Moosehorn Road; and
NORTHERLY by land now or formerly of Swan, to the point of beginning.

Containing 42 acres of land, more or less.

Being a portion of the pasture on the easterly side of said highway now known as North Main Street belonging to the farm known as the Fisher or Norman Merriam Farm, and being a portion of Tract One as described in a deed from Madeleine G. Chisholm to Mount Grace Land Conservation Trust, Inc., dated September 16, 1988, and recorded with said Deeds in Book 2263, Page 302, but expressly excluding from the premises taken hereby, that portion of said Tract One shown on said plan situated on the westerly side of said highway now known as North Main Street.

Meaning and intending to hereby take the above premises, howsoever the same may be bounded and described, and including any fee interest in the above roads which may be held by the supposed owner, as such premises abut said public roads.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Mount Grace Land Conservation Trust, Inc.	$ 93,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $93,000.00.

1. Report of Mrs. Anderson, June 14, recommending that the Commission adopt an Order of Taking for acquisition of 5.6 ± acres of land owned by Bennery Turner, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $7,600.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 5.6 ± acres of land owned by Bennery Turner, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts shown on a plan entitled "Plan of Land of S.C. Damon Hrs., Princeton St. Holden", prepared by Robinson Engineering, Inc., dated February 1949, and recorded with the Worcester District Registry of Deeds as Plan 119 in Plan Book 164, and made a part of this order, namely, a parcel bounded:

Beginning at a stone bound with a drill mark therein which is located on the southwesterly corner of the premises, which point is N. 53 degrees E. eight hundred ninety-seven and 48/100 (897.48) feet from a second point at the easterly line of land now or formerly of Hervey S. Turner et ux, which second point is two hundred eighty-one and 4/100 (281.04) feet S. 37 degrees 41' 20" E. from a third point at the easterly line of said land of Turner and the westerly side of the right of way of the Commonwealth of Massachusetts, which third point is three hundred four and 11/100 (304.11) feet S. 30 degrees 32' 10" E. from a fourth point on said dividing line between said land of Turner and said right of way, which fourth point is two hundred forty-four and 69/100 (244.69) feet S. 8 degrees 06' E. from a fifth point at the intersection of said dividing line and the southerly side of the Metropolitan District Commission tunnel line which fifth point is eighty-three and 46/100 (83.46) feet S. 8 degrees 0' 30" E. from a sixth point at the junction of the northerly line of said tunnel and the easterly line of said land of Turner and the westerly side of the right of way which sixth point is one hundred seventy and 27/100 (170.27) feet S. 8 degrees 12' E. from a seventh point on the easterly side of the line or the line of said

land of Turner and the right of way which seventh point is one hundred six and 15/100 (106.15) feet S. 31 degrees 04' 40" E. from an eighth point on said easterly line of said land of Turner and the westerly side of the right of way which eighth point is one hundred thirty-six and 90/100 (136.90) feet S. 33 degrees 43' E. from the junction of the southerly side of Princeton Street, the easterly side of said land of Turner and the westerly side of said right of way;

Thence running N. 25 degrees 58' E. five hundred sixty-nine and about 3/10 (569.3) feet to the northwesterly line of the Quinapoxet River;

Thence following said Quinapoxet River southerly and westerly to a point at land now or formerly of Reuther;

Thence running S. 80 degrees 49' W. by said land of Reuther one hundred eighty-one and about 5/10 (181.5) feet to other land of Reuther;

Thence S. 30 degrees 11' E. about nine hundred fifty-seven (957) feet to a stone bound marking the point of beginning.

Containing 5.6 acres of land, more or less, and being the premises conveyed by Hervey S. Turner et ux to Ernest R. Turner and Bennery Turner, by deed dated November 19, 1951, and recorded with said Deeds in Book 3381, Page 59.

Meaning and intending to take hereby the above premises howsoever the same may be bounded and described.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Bennery Turner	$ 7,600.00

The Commission further V O T E D: to approve an award of damages in the amount of $7,600.00.

1. Report of Mrs. Anderson, June 14, recommending that the Commission adopt an Order of Taking for acquisition of 10 ± acres of land owned by Stoney G. Hinkle, located in the Town of Shutesbury, Massachusetts, and to approve an award of damages in the amount of $10,800.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 10 ± acres of land owned by Stoney G. Hinkle, located in the Town of Shutesbury, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Shutesbury in the County of Franklin and Commonwealth of Massachusetts, namely, a parcel bounded:

BEGINNING at the south west corner thereof; thence
EASTERLY on land of the late B.F. Abbott to a stake and stones; thence
NORTHERLY on said Abbott's land to a corner; thence
EASTERLY on land of said Abbott to a corner; thence
NORTHERLY to a highway leading from Cooleyville to New Salem across said highway to land formerly of Hamilton Cook to a stake and stones; thence
WESTERLY on said Cook's land to a stake and stones; thence
SOUTHERLY on said Cook's land to a stake and stones; thence
WESTERLY on said Cook's land to the highway leading from Cooleyville to Wendell; thence
SOUTHERLY on said highway to a highway leading from Cooleyville to New Salem across said highway on land of Willard Putnam to the first mentioned corner with the buildings thereon.

Containing 10 acres of land, more or less.

Being the same premises described in a deed from Oren or Orin A. Pratt to the Inhabitants of New Salem, dated March 6, 1907, and recorded with Franklin County Registry of Deeds in Book 533, Page 101.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any fee interest in the above roads which may be

held by the supposed owner, as such premises abut said public roads.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Stoney G. Hinkle	$ 10,800.00

The Commission further V O T E D: to approve an award of damages in the amount of $10,800.00.

1. Report of Mrs. Anderson, June 14, recommending that the Commission adopt an Order of Taking for acquisition of 22.4 ± acres of land owned by Anthony L. Matera and Ligia Matera Bucci, Trustees of Matmore Realty Trust, located in West Boylston, Massachusetts, and to approve an award of damages in the amount of $78,400.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 22.4 ± acres of land owned by Anthony L. Matera and Ligia Matera Bucci, Trustees of Matmore Realty Trust, located in West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston, in the County of Worcester and Commonwealth of Massachusetts, shown on a plan entitled "Plan of Land in West Boylston, Mass. owned by Matmor[e] Realty Trust", dated August 25, 1988, and prepared by John R. Lonergan, R.L.S., which is recorded with the Worcester District Registry of Deeds as Plan 27 in Plan Book 607 and made a part of this order, namely:

Two tracts of land in said West Boylston bounded and described as follows:

TRACT 1: A certain tract of land situated on the southwesterly side of Temple Street and shown as Tract 1 on said plan, beginning at a point on the southwest line of Temple Street at land of the Commonwealth of Massachusetts;

THENCE S. 11 degrees 00' 35" E. 687.20 feet by land of the Commonwealth of Massachusetts to land now or formerly of Digital Equipment Co.;
THENCE N. 87 degrees 13' 03" W. 214.06 feet by land of said Digital to a stone wall;
THENCE N. 87 degrees 24' 30" W. 503.53 feet on said stone wall by land now or formerly of Shell Oil Co. to land now or formerly of New England Power Co.;
THENCE N. 13 degrees 05' 44" W. 158.51 feet by said land of New England Power Co. to the northeasterly side of Hartwell Street;
THENCE Northeasterly by said Hartwell Street six (6) distances a total of 678.52 feet to a point;

THENCE S. 83 degrees 40' 35" E. 193.47 feet by said Hartwell Street to the southwesterly side of said Temple Street;
THENCE Southeasterly by said Temple Street 98.30 feet to the point of beginning.

Containing 8.64 acres of land, more or less.

TRACT 2: A certain tract of land situated on the westerly side of Temple Street and the northwesterly side of Hartwell Street and shown as Tract 2 on said plan, beginning at a point on the northwest line of Hartwell Street at land of the Commonwealth of Massachusetts;

THENCE Southwesterly by said Hartwell Street six (6) distances a total of 613.35 feet to land now or formerly of New England Power Co.;
THENCE N. 13 degrees 05' 44" W. 1721.49 feet by said land of New England Power Co. to a point;
THENCE N. 80 degrees 20' 07" E. 671.65 feet by land now or formerly of the Town of West Boylston to said Temple Street;
THENCE Southwesterly by said Temple Street 654.63 feet to land now or formerly of the Commonwealth of Massachusetts;
THENCE S. 82 degrees 18' 50" W. 148.00 feet by said land of the Commonwealth;
THENCE S. 8 degrees 14' 50" W. 537.40 feet by said land of the Commonwealth;
THENCE S. 78 degrees 00' 49" E. 328.60 feet by said land of the Commonwealth to the point of beginning.

Containing 13.76 acres more or less.

Meaning and intending to take hereby all that land shown on said plan as "Tract 1" and "Tract 2", including any and all fee interest in said Hartwell Street and Temple Street which may be held by the supposed owners, being the same premises described in the deed from Anthony L. Matera et al to Anthony L. Matera et al, Trustees of Matmore Realty Trust, said deed dated September 12, 1988, and recorded with Worcester District Registry of Deeds in Book 11636, Page 367, howsoever said premises may be bounded and described.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District

Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Anthony L. Matera and Ligia Matera Bucci, Trustees of Matmore Realty Trust	$ 78,400.00

The Commission further V O T E D: to approve an award of damages in the amount of $78,400.00.

1. Report of Mrs. Anderson, June 15, recommending that the Commission adopt an Order of Taking for acquisition of 95 ± acres of land owned by Gene E. French and Sondra M. French, located in the Town of New Salem, Massachusetts, and to approve an award of damages in the amount of $175,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 95 ± acres of land owned by Gene E. French and Sondra M. French, located in the Town of New Salem, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of New Salem in the County of Franklin and Commonwealth of Massachusetts shown on a plan entitled "Plan of Land in New Salem, Massachusetts, Prepared for Gene E. French & Sondra M. French", prepared by Almer Huntley, Jr. & Associates, Inc., dated November 29, 1989, and recorded with the Franklin County Registry of Deeds in Plan Book 78, Page 90, and made a part of this order, namely, a parcel bounded:

BEGINNING at a point on the southwesterly side of West Street and at the northerly corner of Lot 6 as shown on said plan;
THENCE S. 59 degrees 01' 21" W. 505.35 feet by Lot 6;
THENCE S. 76 degrees 53' 25" W. 252.82 feet by Lot 6;
THENCE S. 17 degrees 10' 17" W. 350.00 feet by Lot 6;
THENCE S. 47 degrees 05' 11" E. 651.57 feet by Lot 6;
THENCE S. 12 degrees 28" 34" W. 1636.07 feet by land now or formerly of Hamilton;
THENCE N. 73 degrees 31' 00" W. 130.37 feet by said land of Hamilton;
THENCE N. 74 degrees 21' 25" W. 374.76 feet by land of the Commonwealth of Massachusetts;
THENCE N. 05 degrees 31' 21" E. 461.35 feet by said land of the Commonwealth;
THENCE N. 82 degrees 23' 48" W. 278.10 feet by said land of the Commonwealth;
THENCE N. 18 degrees 34' 06" E. 302.47 feet by said land of the Commonwealth;
THENCE N. 69 degrees 04' 07" W. 54.42 feet by said land of the Commonwealth;

THENCE N. 15 degrees 23' 08" E. 640.10 feet by said land of the Commonwealth;

THENCE N. 14 degrees 22' 21" E. 231.04 feet by said land of the Commonwealth;

THENCE N. 70 degrees 26' 09" W. 633.43 feet by said land of the Commonwealth;

THENCE S. 14 degrees 30' 54" W. 153.35 feet by said land of the Commonwealth;

THENCE N. 72 degrees 58" 50" W. 1293.82 feet by said land of the Commonwealth;

THENCE N. 43 degrees 21' 02" W. 34.24 feet by said land of the Commonwealth;

THENCE N. 01 degrees 58' 23" W. 82.81 feet by said land of the Commonwealth;

THENCE N. 16 degrees 43' 28" E. 565.99 feet by said land of the Commonwealth;

THENCE S. 73 degrees 47' 31" E. 1311.91 feet by said land of the Commonwealth;

THENCE N. 15 degrees 27' 25" E. 539.75 feet by said land of the Commonwealth;

THENCE N. 28 degrees 17' 26" E. 148.79 feet by said land of the Commonwealth;

THENCE N. 07 degrees 33' 54" E. 217.88 feet by said land of the Commonwealth;

THENCE N. 13 degrees 59' 52" E. 266.69 feet by said land of the Commonwealth;

THENCE S. 76 degrees 15' 34" E. 1144.13 feet by land now or formerly of Godfrey and land now or formerly of Chapin to a point on the southwesterly side of West Street;

THENCE S. 06 degrees 26' 28" W. 201.63 feet by said West Street to a point;

THENCE S. 09 degrees 35' 47" E. 190.74 feet by said West Street to a point;

THENCE S. 17 degrees 05' 35" E. 69.58 feet by said West Street to a point;

THENCE S. 26 degrees 08' 18" E. 85.20 feet by said West Street to a point;

THENCE S. 31 degrees 41' 44" E. 91.34 feet by said West Street to a point;

THENCE Southeasterly by said West Street two (2) distances a total of 74.77 feet to the point of beginning.

Containing 94.413 acres of land, more or less.

Meaning and intending to take hereby Lots 1, 2, 3, 4 and 5, all as shown on said plan, howsoever such property may be bounded and described, including any and all fee interest in

said West Street which may be held by the supposed owners. Being a portion of the property conveyed by deed of Othello A. Fay to Annie Sawyer, dated January 18, 1900, and recorded with said Deeds in Book 481, Page 66.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Gene E. French and Sondra M. French	$ 175,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $175,000.00.

1. Report of Mrs. Anderson, June 18, recommending that the Commission adopt an Order of Taking for acquisition of 33 ± acres of land owned by Marion C. Mosher, Eric J. Mosher, and Alan M. Mosher, as Heirs of Albert F. Mosher, Jr., Sandra E. Fairbrother and Janice K. Sullivan, in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $82,500.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 33 ± acres of land owned by Marion C. Mosher, Eric J. Mosher, and Alan M. Mosher, as Heirs of Albert F. Mosher, Jr., Sandra E. Fairbrother and Janice K. Sullivan, in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely, a parcel bounded:

BEGINNING at the northwest corner of said tract at land now or formerly of Charles Graham at a large rock with stones on it;
THENCE S. 21 degrees E. one hundred twelve (112) rods six (6) links to another rock with stones on it;
THENCE S. 56 1/4 degrees E. thirty-six (36) rods fifteen (15) links to a rock with stones on it;
THENCE N. 42 1/1 degrees E. thirty-four (34) rods eighteen (18) links more or less to the thread of the brook to Unionville Pond, or reservoir so-called, thirty (30) rods;
THENCE northerly, northwesterly and northeasterly by the shore of said reservoir as it existed in 1882 for a distance of about one hundred forty-four (144) rods to an old stump;
THENCE N. 72 degrees W. twenty-nine (29) rods by land formerly owned by one Goulding to a stake and stones;
THENCE S. 73 degrees 35' W. forty-six (46) rods to the point of beginning.

Containing about 33 acres of land more or less.

Meaning and intending to take hereby the above premises, howsoever the same be bounded and described, and being the same premises described in a deed from Albert F. Mosher to Albert F. Mosher, Jr., et al, dated September 9, 1985, and recorded with Worcester District Registry of Deeds in Book 8943, Page 328.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Marion C. Mosher, Eric J. Mosher and Alan M. Mosher, as Heirs of Albert F. Mosher, Jr., Worcester County Probate No. 90P0698; Sandra E. Fairbrother; and Janice K. Sullivan	$ 82,500.00

The Commission further V O T E D: to approve award of damages in the amount of $82,500.00.

1. Report of Mrs. Anderson, June 18, recommending that the Commission adopt an Order of Taking for acquisition of 2.1± acres of land, owned by Jeffrey B. Mitchell and Gail M. Mitchell, in the Town of Barre, Massachusetts, and to approve an award of damages in the amount of $32,500.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 2.1± acres of land, owned by Jeffrey B. Mitchell and Gail M. Mitchell, in the Town of Barre, Massachusetts.

LOCATION OF PROPERTY: GRANGER ROAD, BARRE, MASSACHUSETTS

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Barre in the County of Worcester and Commonwealth of Massachusetts shown on a plan entitled "Plan of Land Located in Barre, Mass. Owned by Arthur C. Walworth, Jr.", prepared by R.H. Lonergan, dated June 4, 1983, and recorded with the Worcester District Registry of Deeds as Plan 49 in Plan Book 507, and made a part of this order, namely:

A parcel of land on the easterly side of a town road known as Granger Road in said Barre, bounded and described as follows:

BEGINNING at a Metropolitan District Commission Concrete Bound, which point is the southeasterly corner of land of the Metropolitan District Commission and is also on the westerly line of the Boston and Albany Railroad, right of way;

THENCE running southwesterly by a fence and by the Boston and Albany Railroad right of way, about five hundred ninety (590) feet to a point in a stone wall in the northeasterly line of Granger Road to Riverside Cemetery;

THENCE running northwesterly by said stone wall, about thirty-two (32) feet to an angle;

THENCE continuing northwesterly still by said stone wall, about one hundred two (102) feet to an angle;

THENCE continuing northwesterly still by said stone wall, about seventy (70) feet to an angle;

THENCE continuing northwesterly, about fifty-seven (57) feet to a point in the easterly line of the Town Road known as Granger Road;

The last four (4) described lines being by the northeasterly line of Granger Road;

THENCE running northeasterly, partially by a stone wall, about one hundred forty-seven (147) feet to an angle;

THENCE continuing northeasterly still by said stone wall, about three hundred six (306) feet to a Metropolitan District Commission Concrete Bound;

THENCE running southeasterly by land of the Metropolitan District Commission, about two hundred (200) feet to the Metropolitan District Commission Concrete Bound at the point of beginning.

Containing 2.1 acres of land, more or less, and being the second parcel described in the deed from Mark P. Mitchell, et al, to Jeffrey B. Mitchell, et ux, dated December 6, 1983, and recorded with Worcester District Registry of Deeds in Book 8020, Page 341.

Meaning and intending to take hereby the above premises howsoever the same may be bounded and described, including any and all fee interest held by the supposed owners in the above roads.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Jeffrey B. Mitchell and Gail M. Mitchell	$ 32,500.00

The Commission further V O T E D: to approve an award of damages in the amount of $32,500.00.

1. Report of Mrs. Anderson, June 18, recommending that the Commission adopt an Order of Taking for a conservation restriction in perpetuity on 10± acres of land, owned by Jeffrey B. Mitchell and Gail M. Mitchell, in the Town of Barre, Massachusetts, and to approve an award of damages in the amount of $91,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for a conservation restriction in perpetuity on 10± acres of land, owned by Jeffrey B. Mitchell and Gail M. Mitchell, in the Town of Barre, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Barre in the County of Worcester and Commonwealth of Massachusetts shown as Lot "E" on a plan entitled "Sketch of Land in Barre, Mass. owned by Arthur C. Walworth", dated October 3, 1981, and recorded with the Worcester District Registry of Deeds in Plan Book 501, as Plan 98, and made a part of this order, namely:

That certain parcel of land in Barre, Worcester County, Massachusetts, on the westerly side of a town road known as Granger Road, bounded and described as follows:

BEGINNING at the northeasterly corner of the herein-described premises at a point in the southerly line of the Gardner Electric Co. right of way, in a stone wall;

THENCE southeasterly by said stone wall about one hundred forty (140) feet, more or less, to a point;
THENCE running southwesterly still by said stone wall, about eighty (80) feet to an angle;
THENCE continuing southwesterly still by said stone wall about two hundred twenty-five (225) feet to an angle;
THENCE continuing southwesterly partially by said stone wall, about one hundred ninety-two (192) feet to an angle in said stone wall;
THENCE continuing southwesterly by said stone wall, about eighty (80) feet to an angle;
THENCE continuing southwesterly still by said stone wall, about one hundred forty-six (146) feet to a point;

THENCE running southwesterly by a fence, about seventy (70) feet to a point at a forty (40) inch maple tree at a point in a stone wall;

THENCE running southwesterly by said stone wall, about two hundred seventy-five (275) feet to an angle;

THENCE continuing southwesterly still by said stone wall, about two hundred sixty-seven (267) feet to an angle;

THENCE continuing southwesterly still by said stone wall, about two hundred fifty-two (252) feet to an angle;

THENCE continuing southwesterly still by said stone wall, about one hundred eighty-five (185) feet to an angle;

THENCE continuing southwesterly still by said stone wall, about thirty-two (32) feet to an angle at the northeasterly corner of other land of said Arthur C. Walworth, Jr.;

The heretofore described lines being by the westerly line of a Road known as Granger Road;

THENCE running northwesterly by a stone wall, about seventy-three (73) feet to an angle at the end of said stone wall;

THENCE continuing northwesterly, about forty-seven (47) feet to an iron pipe;

THENCE running northeasterly, about seventy (70) feet to an iron pipe at an angle;

THENCE continuing northeasterly, about forty-five (45) feet to an iron pipe at an angle;

THENCE continuing northeasterly, about ninety-one (91) feet to an iron pipe at an angle;

THENCE continuing northeasterly, about ninety-eight (98) feet to an iron pipe at an angle;

THENCE continuing northeasterly, about eighty-six (86) feet to an iron pipe;

THENCE running easterly about seventy-six (76) feet to an iron pipe;

THENCE running northeasterly, about ninety-seven (97) feet to an iron pipe at an angle;

THENCE continuing northeasterly, about one hundred forty (140) feet to an iron pipe at an angle;

THENCE continuing northeasterly, about forty (40) feet to an iron pipe at an angle;

THENCE continuing northeasterly, about one hundred four (104) feet to an iron pipe at an angle;

THENCE continuing northeasterly, about sixty-five (65) feet to an iron pipe set at a thirty (30) inch maple tree;

THENCE running northwesterly by a fence, about nineteen

(19) feet to an iron pipe set at a twenty-four (24) inch pine tree;

THENCE continuing northwesterly still by said fence, about eighty-two (82) feet to an iron pipe set at a forty (40) inch maple tree, at a point in a stone wall;

THENCE runnning northeasterly by said stone wall about sixty-three (63) feet to an angle;

THENCE running northeasterly, still by said stone wall, about two hundred seventy-one (271) feet, more or less, to a point;

THENCE running northeasterly, along the southerly line of the Gardner Electric Co. right of way to the point of beginning.

Containing 10 acres of land, more or less, and being that parcel shown as Lot E on said plan, and that parcel first described in a deed from Mark P. Mitchell et al, to Jeffrey B. Mitchell et ux, dated December 6, 1983, and recorded with Worcester District Registry of Deeds in Book 8020, Page 341, howsoever the same may be bounded and described.

The aforementioned parcel is supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
Jeffrey B. Mitchell and Gail M. Mitchell	10 acres, more or less

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel(s) of land hereinabove described:

1. No construction or placing of more than six (6) buildings or structures or parts thereof with an aggregate land area of more than seven thousand five hundred (7,500) square feet of land;

2. No construction of any such building or structure on any part of the premises beyond three hundred (300) feet in any direction from the dwelling house as now situated on said premises;

3. No construction of any such building or structure for dwelling purposes; provided, however, that the temporary use of any such building or structure for dwelling purposes shall be permitted at such time or times whenever the dwelling house is rendered uninhabitable by fire, flood or other casualty or loss; furthermore, the maintenance, restoration, reconstruction or enlargement of any and all buildings and structures now or to be situated within said defined land area, is expressly permitted under this restriction and easement.

4. No construction or placing of utilities or utility delivery systems, or roads, ways, paths or portions thereof, except for the maintenance and reconstruction of any and all utilities or utility systems, roads, ways and paths now legally on, in, over or through said premises;

5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance except as needed to maintain the land; and

6. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken does not grant either said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement, or the public, any right to enter upon the land hereinabove described, except that such Commission, its successors, assigns or other authority may enter upon said land at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Jeffrey B. Mitchell and Gail M. Mitchell	$ 91,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $91,000.00.

1. Report of Mrs. Anderson, June 19, recommending that the Commission adopt an Order of Taking for acquisition of 140± acres of land owned by Malcolm J. Corse, Francis Powling, Joseph P. N. Courchesne, or their successors,, as unknown, as Trustees for the benefit of the Tri-County Coon Club, Inc., and/or the Tri-County Coon Club, Inc., and/or the successors in title to the Tri-County Coon Club, Inc., as unknown, and located in the Town of Shutesbury, Massachusetts, and to approve an award of damages in the amount of $100,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 140± acres of land owned by Malcolm J. Corse, Francis Powling, Joseph P. N. Courchesne, or their successors,, as unknown, as Trustees for the benefit of the Tri-County Coon Club, Inc., and/or the Tri-County Coon Club, Inc., and/or the successors in title to the Tri-County Coon Club, Inc., as unknown, and located in the Town of Shutesbury, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Shutesbury in the County of Franklin and Commonwealth of Massachusetts, namely, a parcel bounded:

North by land formerly of Joseph Fisk II and Field and Lottum; East by land formerly of Lyman Haskell and Rebach Powers; South by land formerly of Sawyer & Frary Field; Southeasterly by the Old Town Road and land formerly of David Wilder; and West by land formerly of Joseph Fisk II, containing 140 acres more or less and known as the "Shutesbury pasture".

Being the same premises as conveyed to Dwight S. Felton by Marcellus Stratton, by deed dated November 21, 1889, and recorded with Franklin County Registry of Deeds in Book 499, Page 92.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, said premises being bounded on all sides by land of the Commonwealth of Massachusetts, and meaning and intending to take hereby all the right, title and interest of the supposed owners in and to said premises, as based upon a deed from Constant Southworth, et al, to Malcolm J. Corse, Francis Powling and Joseph P. N. Courchesne, conveying the subject property in trust for the benefit of the Tri-County Coon Club, Inc., dated December 1, 1970, and recorded with said Deeds in Book 1268, Page 215, and as based upon a certificate of corporate vote purporting to vest title to said property in the Tri-County Coon Club, Inc., pursuant to the provisions in said deed of trust, dated May 8, 1986, and recorded with said Deeds in Book 2063, Page 116.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Malcolm J. Corse, Francis Powling, Joseph P. N. Courchesne, or their successors, as unknown, as Trustees for the benefit of the Tri-County Coon Club, Inc., and/or the Tri-County Coon Club, Inc., and/or the successors in title to the Tri-County Coon Club, Inc., as unknown.	$ 100,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $100,000.00.

1. Report of Mrs. Anderson, June 19, recommending that the Commission adopt an Order of Taking for acquisition of 9.81± acres of land owned by Charles E. Holly and William M. Breed, Trustees of The Arthur C. Walworth, Jr. Charitable Remainder Unitrust of 1989, and located in the Town of Barre, Massachusetts, and to approve an award of damages in the amount of $75,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 9.81± acres of land owned by Charles E. Holly and William M. Breed, Trustees of The Arthur C. Walworth, Jr. Charitable Remainder Unitrust of 1989, and located in the Town of Barre, Massachusetts.

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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and for the benefit of the Commonwealth of Massachusetts, the following described land situated in the Town of Barre in the County of Worcester and Commonwealth of Massachusetts, namely, a parcel bounded:

BEGINNING at a stone bound set in the southeasterly sideline of the road leading from Hubbardston to Coldbrook;

THENCE the line runs northeasterly by said road one thousand two hundred twenty-four (1,224) feet more or less to the intersection of said road with the southerly side of an old county road;

THENCE southeasterly by said old county road, two hundred twenty-six (226) feet more or less to land of the Commonwealth of Massachusetts, formerly of the Boston and Albany Railroad;

THENCE southwesterly by said land of the Commonwealth, one thousand two hundred ninety-eight (1,298) feet more or less to a stone bound at land of the Commonwealth, formerly of August and Victoria Yonik;

THENCE N. 85 degrees 22' 42" W. two hundred twenty-six and 36/100 (226.36) feet to a stone bound;

THENCE N. 06 degrees 04' 05" W. one hundred three and 02/100 (103.02) feet to a stone bound;

THENCE N. 63 degrees 18' 02" W. one hundred sixty-two and 20/100 (162.20) feet to the bound first mentioned to the point of beginning.

Containing 9.81 acres more or less, and being shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Land in Barre to be conveyed to Arthur C. Walworth, Jr., * * * December 22, 1961, Harold J. Toole, Director of the Water Division and Chief Water Supply Engineer".

Being the same premises described as Parcel Two in a release deed from the Commonwealth of Massachusetts to Arthur C. Walworth, Jr., dated September 27, 1962, and recorded with the Worcester District Registry of Deeds in Book 4376, Page 407.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, including any and all fee interest held by the supposed owners in the above roads.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Charles E. Holly and William M. Breed, Trustees of The Arthur C. Walworth, Jr. Charitable Remainder Unitrust of 1989	$ 75,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $75,000.00.

1. Report of Mrs. Anderson, June 20, recommending that the Commission adopt an Order of Taking for acquisition of 8.8± acres of land owned by John S. Ebersole and Ellen R. Ebersole, located in the Town of Barre, Massachusetts, and to approve an award of damages in the amount of $45,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 8.8± acres of land owned by John S. Ebersole and Ellen R. Ebersole, located in the Town of Barre, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Barre in the County of Worcester and Commonwealth of Massachusetts, shown as a parcel with "Area = 8.8 ± ac." on a plan entitled "Plan of Land in Barre, Mass. owned by Arthur C. Walworth", dated May 5, 1989, and recorded with Worcester District Registry of Deeds in Plan Book 624 as Plan 8, and made a part of this order, namely, a parcel bounded:

LOCATION OF PROPERTY: GRANGER ROAD, BARRE, MASSACHUSETTS.

BEGINNING at a point on the southwesterly sideline of Granger Road and the southeasterly line of the right of way held by the Gardner Electric Light Company;
THENCE S. 39 degrees 36' 35" W. 679 feet to a point;
THENCE southerly 323 feet along land now or formerly of Mitchell;
THENCE northeasterly 82 feet to a point;
THENCE southeasterly 19 feet to a point;
THENCE southwesterly three (3) distances a total of 209 feet to a point;
THENCE southerly two (2) distances a total of 237 feet to a point;
THENCE southwesterly, southerly and southeasterly six (6) distances a total of 476 feet;
THENCE N. 84 degrees 34' 04" W. 209.60 feet across said right of way and by land now or formerly of Williams to a point on the northwesterly line of said right of way;
THENCE N. 19 degrees 52' 54" E. 129.70 feet to a point;
THENCE N. 11 degrees 26' 55" E. 970.10 feet by the north-

westerly line of said right of way to a point;
THENCE N. 39 degrees 36' 35" E. 407.50 feet by the northwesterly line of said right of way to a point;
THENCE N. 0 degrees 20' W. 225.70 feet to a point;
THENCE N. 3 degrees 20' W. 252.50 feet to a point;
THENCE N. 14 degrees 42' W. 180.00 feet to a point;
THENCE N. 39 degrees 19' W. 59 feet to a point;
THENCE N. 52 degrees 46' E. 60 feet to a point;
THENCE southeasterly 117.60 feet to a point;
THENCE southeasterly 532 feet by said Granger Road across the northwesterly line of said right of way to the point of beginning.

Containing 8.8 acres, more or less, and being the same premises described in a deed from Arthur C. Walworth, Jr., to John S. Ebersole and Ellen R. Ebersole, dated July 31, 1989, and recorded with the Worcester District Registry of Deeds in Book 12264, Page 175, howsoever the same may be bounded and described.

The aforementioned parcel is supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
John S. Ebersole and Ellen R. Ebersole	8.8 acres more or less

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described:

1. No construction or placing of buildings or structures or parts thereof, utilities or utility delivery systems, or roads, ways, paths or portions thereof, except for the maintenance, renovation, or reconstruction of any and all buildings, structures, utilities or utility systems, roads, ways and paths now legally on, in, over or through said premises; provided, however, that the aforementioned owners

of record, their heirs, successors and assigns, shall not be restricted hereby from placing and constructing an access road of not more than thirty (30) feet in width, to be located at the northerly boundary of said parcel from the junction of Granger Road and Cummings Road, along the westerly boundary of said parcel and across the right of way reserved to the New England Power Company, leading to the one-story cabin now situated on said premises, the more precise configuration of said access road to be shown on a plan of land to be duly recorded at such time as determined by said owners; provided also, that the aforementioned owners of record, their heirs, successors and assigns, shall not be restricted hereby from maintaining, renovating, or reconstructing the aforesaid one-story cabin at its present site, in a land area not to exceed eight hundred (800) square feet, and from providing all utilities to service same;

2. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance except as needed to maintain the land; and

3. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken does not grant either said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement, or the public, any right to enter upon the land hereinabove described, except that such Commission, its successors, assigns or other authority may enter upon said land at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
John S. Ebersole and Ellen R. Ebersole	$ 45,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $45,000.00.

1. Report of Mrs. Anderson, June 20, recommending that the Commission adopt an Order of Taking for acquisition of 71.88± acres of land owned by Edward F. Williams and Donna M. Williams, located in the Town of Barre, Massachusetts, and to approve an award of damages in the amount of $35,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 71.88± acres of land owned by Edward F. Williams and Donna M. Williams, located in the Town of Barre, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Barre in the County of Worcester and Commonwealth of Massachusetts, shown as Lot A on a plan entitled "Plan of Land Located in Barre Mass. owned by Arthur C. Walworth Jr.", dated August 16, 1980, and recorded with the Worcester District Registry of Deeds in Plan Book 481 as Plan 113, and as a lot of "area = 3.08 acres" on a plan entitled "Plan of Land in Barre, Mass. owned by Arthur C. Walworth Jr.", dated September 16, 1987, and recorded with said Deeds in Plan Book 601, Plan 80, and made a part of this order, namely:

<u>Parcel 1.</u>

A parcel of land shown as Lot A on the above-entitled plan recorded with said Deeds as Plan 113 in Plan Book 481;

BEGINNING at the southeasterly most corner of said Lot A, said point being N. 54 degrees 58' 22" W. three hundred thirty-six and ninety hundredths (336.90) feet from a point in a stone wall on the northwesterly side of Granger Road;

THENCE N. 54 degrees 58' 22" W. one hundred thirty-five and twenty-two hundredths (135.22) feet to a point;

THENCE N. 75 degrees 21' 43" W. by a stone wall one hundred eighty-six and thirty-four hundredths (186.34) feet to a point in said wall;

THENCE N. 52 degrees 09' 51" W. eighty-two and twenty-one hundredths (82.21) feet to a point in said wall;

THENCE S. 39 degrees 05' 40" W. seventy-seven and thirty-two hundredths (77.32) feet to a point in said wall;

THENCE S. 86 degrees 51' 48" W. seventy-five and twenty-nine hundredths (75.29) feet to a point in said wall;

THENCE S. 77 degrees 53' 35" W. seventy-nine and eighty-nine hundredths (79.89) feet to a point in said wall, said last six courses being by land now or formerly of the Commonwealth of Massachusetts;

THENCE N. 02 degrees 18' W. two thousand five hundred sixty-five (2,565) feet to a point in a stone wall;

THENCE N. 74 degrees 18' 51" E. by said stone wall nine hundred twenty-two and four hundredths (922.04) feet to a point in a wall at the edge of a discontinued road;

THENCE southerly by a stone wall along the southwesterly side of said discontinued road, eight hundred (800) feet plus or minus to a point in the stone wall;

THENCE N. 52 degrees 46' E. by a stone wall sixty (60) feet plus or minus to a point in said wall;

THENCE S. 52 degrees 46' W. by a stone wall sixty (60) feet plus or minus to a point in said wall;

THENCE S. 39 degrees 19' E. fifty-nine (59) feet to a point in said wall;

THENCE S. 14 degrees 42' E. one hundred eighty (180) feet to a point in said wall;

THENCE S. 03 degrees 20' E. two hundred fifty-two and fifty hundredths (252.50) feet to a point in said wall;

THENCE S. 00 degrees 20' E. two hundred fifty (250) feet plus or minus along said wall to a point on the northwesterly sideline of the Massachusetts Electric Co. Permanent Easement as shown on said plan, the last five courses being by land now or formerly of Walworth;

THENCE in a southwesterly direction along said northwesterly sideline of the said permanent easement shown on said plan, one thousand eight hundred (1,800) feet plus or minus to the point of beginning.

Containing 68.8 acres, more or less, and being the same premises described in a deed from Arthur C. Walworth, Jr., to Edward F. Williams and Donna M. Williams, dated November 28, 1980, and recorded with the Worcester District Registry of Deeds in Book 7126, Page 150, howsoever the same may be bounded and described.

Parcel 2.

A parcel of land shown as "Area = 3.08 Acres" on the above-entitled plan recorded with said Deeds as Plan 80 in Plan Book 601;

BEGINNING at the southeasterly most corner of said parcel, at a point on the northwesterly side of Granger Road at a Metropolitan District Commission bound;
THENCE N. 54 degrees 58' 22" W. 333.27 feet by land now or formerly of the Commonwealth of Massachusetts and across a Massachusetts Electric Company permanent easement, to a point on the northwesterly sideline of said easement;
THENCE N. 32 degrees 30' 00" E. 352.20 feet by land now or formerly of Williams along said northwesterly sideline of said easement;
THENCE S. 84 degrees 34' 04" E. 209.60 feet by land now or formerly of Walworth to a point;
THENCE S. 60 degrees 56' 58" E. 21.11 feet by land now or formerly of Mitchell to a point;
THENCE S. 63 degrees 57' 21" E. 73.79 feet by said land of Mitchell to a point;
THENCE N. 48 degrees 08' 16" E. 37.46 feet by said land of Mitchell to a point;
THENCE S. 27 degrees 47' 43" W. 509.63 feet by a tie line as shown on said plan, or 510 feet more or less by said Granger Road, to the point of beginning.

Containing 3.08 acres, more or less, and being the same premises described in a deed from Arthur C. Walworth, Jr., to Edward F. Williams and Donna M. Williams, dated November 2, 1987, and recorded with said Deeds in Book 11421, Page 273, howsoever the same may be bounded and described.

The aforementioned parcels are supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
Edward F. Williams and Donna M. Williams	71.88 acres, more or less

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcels of land hereinabove described:

1. No construction or placing of buildings or structures or parts thereof, utilities or utility delivery systems, or roads, ways, paths or portions thereof, except for the maintenance, renovation, or reconstruction of any and all buildings, structures, utilities or utility systems, roads, ways and paths now legally on, in, over or through said premises;

2. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance except as needed to maintain the land; and

3. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken does not grant either said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement, or the public, any right to enter upon the land hereinabove described, except that such Commission, its successors, assigns or other authority may enter upon said land at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Edward F. Williams and Donna M. Williams	$ 35,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $35,000.00.

1. Report of Mrs. Anderson, June 20, recommending that the Commission adopt an Order of Taking for acquisition of 186.5± acres of land owned by William O. Foye, located in the Town of Petersham, Massachusetts, and to approve an award of damages in the amount of $190,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations made by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 186.5± acres of land owned by William O. Foye, located in the Town of Petersham, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Petersham in the County of Worcester and Commonwealth of Massachusetts, namely:

Parcel 1.

A parcel of land in the southwesterly part of Petersham called the "Hodges Lot", bounded as follows:

BEGINNING at its northeast corner and the corner of land formerly of Bredemere and formerly of Kendall and land of Foye;
THENCE westerly by land of Foye and land formerly of Lucius Doubleday to a corner of said Doubleday land;
THENCE southerly by said Doubleday land to another corner of said land;
THENCE westerly by said land to land formerly of Charles A. Gleason;
THENCE southerly by said Gleason land to land of Franklin Blackmer, formerly Gleason;
THENCE southerly by said Blackmer land to land formerly of Merrick Hildreth;
THENCE easterly by land of said Hildreth to the corner of land of Foye, formerly of Kendall;
THENCE easterly by said land of Foye to land formerly of Getson Spooner;
THENCE northerly to another corner of said Spooner land;
THENCE easterly by said Spooner land to the Monson Turnpike, so-called;

THENCE northerly by said Turnpike to a corner of land of Foye, formerly of Kendall;
THENCE westerly to another corner of said land;
THENCE northerly and westerly by said land of Foye to the point of beginning.

Containing 49 acres, more or less, and being the same premises described in a deed from Laura A. Bredemere to William O. Foye, dated September 30, 1969, and recorded with the Worcester District Registry of Deeds in Book 4984, Page 186, howsoever the same may be bounded and described.

Parcel 2.

A parcel of land on the east side of the highway known as the old Monson Turnpike, in Petersham, bounded and described as follows:

BEGINNING by said highway at its southwest corner and the corner of land of George A. Amsden, formerly of David Amsden;
THENCE easterly by said land of George A. Amsden to the northeast corner of said land of George A. Amsden;
THENCE northerly in a straight line 150 feet by land formerly of Leroy E. Burbee, formerly of Hollis Lippitt;
THENCE westerly in a straight line by land formerly of Leroy E. Burbee to said highway;
THENCE southerly by said highway 150 feet to the place of beginning.

Containing 2 1/2 acres, more or less, being the same premises described as Tract No. 1 in a deed from Laura Amsden Bredemere to William O. Foye, dated March 17, 1962, and recorded with said Deeds in Book 4272, Page 389, howsoever the same may be bounded and described.

Parcel 3.

A parcel of land on the east side of said highway and bounded:

On the south by the so-called "Brooks Lot" and a certain strip of land extending westerly from said "Brooks Lot" to said highway, both now or formerly owned by George A. Kendall, the boundary line between said strip of land and this parcel being in a straight line and in the same latitude with the stone wall which forms the boundary line

between said parcel and the "Brooks Lot", the same latitudinal line to be extended easterly from said stone wall to land formerly of Hollis Lippitt;
on the west by the said highway;
on the north and east by land formerly of Hollis Lippitt, to the point of beginning.

Containing 84 acres, more or less, and being the same premises described as Tract No. 2 in the said deed from Laura Amsden Bredemere to William O. Foye, dated March 17, 1962, and recorded with said Deeds in Book 4272, Page 389, howsoever the same may be bounded and described.

Parcel 4.

A parcel of land on the west side of said highway in extreme south of said David Amsden land, and bounded:

On the south by land formerly of Emory Goddard;
on the west by land formerly of Elijah Hildreth;
on the north by land formerly of said Hollis Lippitt and Amasiah Spooner;
and on the east by said highway.

Containing 26 acres, more or less, and being the same premises described as Tract No. 3 in the said deed from Laura Amsden Bredemere to William O. Foye, dated March 17, 1962, and recorded with said Deeds in Book 4272, Page 389, howsoever the same may be bounded and described.

Parcel 5.

A parcel of land bounded

On the south by land formerly of Hollis Lippitt;
on the west by land formerly of Lucius Doubleday;
on the north by land formerly of Emery Sibley;
and on the east by land formerly of Hollis Lippitt.

Containing 25 acres, more or less, and being the same premises described as Tract No. 4 in the said deed from Laura Amsden Bredemere to William O. Foye, dated March 17, 1962, and recorded with said Deeds in Book 4272, Page 389, howsoever the same may be bounded and described.

Meaning and intending to take a watershed preservation restriction and conservation easement in all the land as above described, the record title to which remains in the name of the supposed owner as of the date of this taking.

The aforementioned parcels are supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
William O. Foye	186.5 acres, more or less

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcels of land hereinabove described:

1. No construction or placing of buildings or structures or parts thereof, utilities or utility delivery systems, or roads, ways, paths or portions thereof, except for the maintenance, renovation, or reconstruction of any and all buildings, structures, utilities or utility systems, roads, ways and paths now legally on, in, over or through said premises;

2. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance except as needed to maintain the land; and

3. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken does not grant either said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction

and easement, or the public, any right to enter upon the land hereinabove described, except that such Commission, its successors, assigns or other authority may enter upon said land at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Wiiliam O. Foye	$ 190,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $190,000.00.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from May 21, 1990 to May 28, 1990.

Expenditures	$1,122,348.27
Summer Youth	$ 747.18

Adjourned at 1:15 p.m. to meet on Thursday, June 28, 1990 at 10:00 a.m.

William F. Carlin
Secretary

Record of the Three Thousand Five Hundred and Thirty Second (3532nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 28, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, Scandrett and Whelan.

The Records of the Meeting held on June 7, 1990 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P88-1516-M3A, dated June 28, 1990, with Capron Lighting and Sound, Inc., for Operation and Maintenance of Sound and Lighting Systems at E. A. Hatch Memorial Shell, Embankment Road, Boston.

2. Contract No. P84-1276-C6A, dated June 28, 1990, with P. R. Johnson, Inc., for Tidal Gate Repairs on the Greenberg Bridge, Quincy.

3. Contract-Agreement, dated June 28, 1990, with William A. Stokinger, for Cultural Resource Specialist Services.

4. Contract-Agreement, dated June 28, 1990, with Albert E. Pratt, for Operations Planner Services.

5. Contract-Agreement, dated June 28, 1990, with Thomas F. Mahlstedt, for Chief Archaeologist Services.

6. First Amendment, dated June 28, 1990, to Contract-Agreement No. P82-1128-D1B, with Vollmer Associates, for Rehabilitation of Mystic Valley Parkway, Stoneham.

7. First Amendment, dated June 28, 1990, to Contract-Agreement No. WM90-001-X1A, with Lycott Environmental Research, Inc., for Laboratory Services.

8. First Amendment, dated June 28, 1990, to Contract-Agreement No. P82-1034-D1A, with the Halvorson Company, for Rehabilitation of Beaver Brook Reservation in Belmont and Waltham, Massachusetts.

9. First Amendment, dated June 28, 1990, to Contract-Agreement No. P84-1276-D2A, with Hoyle, Tanner and Associates, Inc., for Professional Engineering Services for Repairs to Bridges, Parkways and other Facilities of the Metropolitan District Commission.

10. Contract-Agreement, dated June 28, 1990, with Attorney Brian F. Gilligan, for Providing Legal Services on an Intermittent Basis to Address Various Labor and Civil Matters.

11. Second Amendment, dated June 28, 1990, to Contract-Agreement No. P82-1079-D1B, with McGinley Hart and Associates, for Design of Repair of Seawall and Restoration of Pavilions and Band Stand, Revere Beach Reservation.

12. Second Amendment, dated June 28, 1990, to Contract-Agreement No. P80-0844-D2A, with SEA Consultants, for Rehabilitation of Mill Pond and Duck Pond Dams, Beaver Brook Reservation, Belmont and Waltham, Massachusetts.

Action was taken upon the following matters relating to the Engineering and Construction Division:

13. Report of Messrs. Faucher and Lenhardt, May 24, recommending the following on Contract-Agreement No. P84-1288-X1A (E80-15PE), with Barnes and Jarnis, for Engineering Services for Legal Court Case, Sutton Corporation vs. Vibroflotation Foundation Company and Commonwealth of Massachusetts -

(a) That works be accepted as completed as of March 5, 1987.
(b) That Payment Invoice No. 13 (Final), in the amount of $3,129.10, be approved for payment.
(No funds available at this time for final payment. A request will be made to the legislature for funds in a supplementary budget).
The Commission V O T E D: that the work of Barnes and Jarnis, Consultant under Contract-Agreement No. P84-1288-X1A, for Engineering Services for Legal Court Case, Sutton Corporation vs. Vibroflotation Foundation Company and Commonwealth of Massachusetts, be and hereby is accepted as completed as of March 5, 1987.
The Commission further V O T E D: to approve Payment Invoice No. 13 (Final), in the amount of $3,129.10.

1. Report of Messrs Faucher and Lenhardt, June 6, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P90-1590-C1A, Repairs to the Longfellow Bridge, Boston and Cambridge, Massachusetts. Estimated Cost $100,000.00 - Account No. 2490-0012.
Associate Commissioner Jones requested that Mr. Lespasio change the title of Contract No. P90-1590-C1A, Repairs to the Longfellow Bridge, Boston and Cambridge, so that it more accurately describes the project.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Arinella, June 1, recommending the following on Contract No. P83-1347-M1A, with Underwater Construction Corp, for Maintenance and Repair of Locks, Draws and other Underwater Structures -
(a) That work be accepted as completed as of November 30, 1989.
(b) That Estimate No. 8 (Final), in the amount of $1,704.30, be approved for payment.
(c) That reserve, in the amount of $2,112.81, be approved for payment.

(Basis of Award	-	$77,275.00)
(Total to Date	-	$42,255.97)
(Contract Administration Rating	-	3.71)
(EEO Compliance	-	3.50)

The Commission V O T E D: that the work of Underwater Construction Corp., Contractor under Contract No. P83-1347-M1A, for Maintenance and Repair of Locks, Draws and other Underwater Structures, be and hereby is accepted as completed as of November 30, 1989.
The Commission further V O T E D: to approve to approve Estimate No. 8 (Final), in the amount of $1,704.30, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,112.81, for payment.

3. Report of Messrs. Faucher and Higgott, June 1, recommending approval of the request of Linden Construction Co., Contractor on Contract No. P82-1079-C1A, for Repair of Seawalls and Restoration of Pavilions and Bandstand - Revere Beach Reservation, to engage the services of Ahern Painting Co., Inc., as subcontractor for Cleaning and Graffiti Removal, Field Painting and Sand Blasting at a cost of $106,500.00.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Higgott in their report of June 1, 1990.

4. Report of Messrs. Faucher and O'Connor June 7, on request of John Mahoney Construction Co., Contractor on Contract No. P84-1276-C3A - Bridge Deck Replacement of the General E. Leroy Sweetser Bridge, Everett, Massachusetts, for approval of the following sub-contractors:
Crews Brothers Contracting Co.
Item No. 008-010 - $125,000.00
Cleaning and Painting Existing Steel Stringers
Don Martin Corporation
Item No. 010-010 - $ 8,250.00
Dense Binder Course for Bridges

Item No. 010-020 - $ 18,700.00
Class I Bituminous Concrete Pavement
Meade-McGrath Fence Co.
Item No. 015-010 - $ 13,500.00
Remove and Reset Highway Guard Rail
Item No. 016-010 - $ 12,500.00
Remove and Install New Protective Screen
Narayana Construction Co.
Item No. 005-010 - $ 90,000.00
Installation of Steel Reinforcements
Item No. 006-010 - $140,000.00
Installation of Expansion Joints
Item No. 009-010 - $ 48,000.00
Repair Existing Steel Structures
Item No. 009-020 - $ 63,000.00
Repair Existing Bearings
Calhess Waterproofing
Item No. 011-010 - $ 15,000.00
Application of Waterproof Membrance
Epoxy Injections Systems, Inc.
Item No. 020-010 - $ 7,800.00
Masonry Crack Repair Patch
Item No. 020-010 - $ 1,450.00
Patch Spalled Concrete
Markings Inc.
Item No. 023-010 - $ 525.00
Application of 4" Reflective Line
Item No. 023-020 - $ 60.00
Reflectorized Lines
Trimount Bituminous Products Co.
Item No. 022-010 - $ 4,800.00
Planing of Bituminous Roadway
at a total cost of $548,585.00.
At this point, Associate Commissioner Jones requested that Messrs. Brown and Turner, be in attendance at the meeting of July 5, 1990, to discuss sub-contractor's relationship with EEO/AA.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and O'Connor in their report of June 7, 1990.

1. Report of Messrs. Faucher and Lenhardt, June 12, recommending approval to exceed estimated quantities on the following -
Item No. 001-010 - $318,060.00
Brick Masonry Removed and Reset
Item No. 001-020 - $ 20,760.00
Cap Stone Removed and Reset
Item No. 001-030 - $ 9,000.00
Granite Base Course Removed and Reset
Item No. 004-010 - $ 72,000.00
Cement Concrete Masonry
Item No. 005-010 - $ 5,000.00
Unclassified Excavation
Item No. 018-010 - $ 5,000.00
Epoxy Coating Reinforcing Steel
at an additional cost of $429,820.00 on Contract No. P84-1276-C7A, with The Modern Continental Construction Co., Inc., for Repairs to Monsignor William J. Casey Overpass. Account No. 2490-8881.
The Commission V O T E D: Delete from Agenda.

2. Report of Messrs. Faucher and Kelley, June 15, recommending the following on Contract No. P88-1540-M2A, with Expert Lines, for Painting Lines for Parking Spaces Various Locations -
(a) That work be accepted as completed as of May 31, 1990.
(b) That Estimate No. 4 (Final), in the amount of $1,861.59, be approved for payment.
(c) That reserve, in the amount of $867.82, be approved for payment.
(Basis of Award - $21,400.00)
(Total to Date - $17,356.39)
(Contract Administration Rating - 2.00)
(EEO Compliance - N/A)
Associate Commissioner Scandrett noting the Contractor's low Contract Administration Rating asked that the Division write to

Expert Lines and indicate the Commission's displeasure with its performance.
The Commission V O T E D: that the work of Expert Lines, Contractor under Contract No. P88-1540-M2A, for Painting Lines for Parking Spaces Various Locations, be and hereby is accepted as completed as of May 31, 1990.
The Commission further V O T E D: to approve to approve Estimate No. 4 (Final), in the amount of $1,861.59, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $867.82, for payment.

1. Report of Messrs. Faucher and Lenhardt, May 21, recommending the following on Contract No. P84-1276-C5A, with The Modern Continental Construction Co., Inc., for Temporary Supports - Pier D at Casey Overpass -
(a) That work be accepted as completed as of January 22, 1990.
(b) That Estimate No. 3 (Final), in the amount of $664.48, be approved for payment.
(c) That reserve, in the amount of $6,267.88, be approved for payment.
(Basis of Award - $112,000.00)
(Total to Date - $125,357.71)
(Contract Administration Rating - 4.00)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of The Modern Continental Construction Co., Inc., Contractor under Contract No. P84-1276-C5A, for Temporary Supports - Pier D at Casey Overpass, be and hereby is accepted as completed as of January 22, 1990.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $664.48, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $6,267.88, for payment.

2. Report of Messrs. Faucher and Machado, June 21, recommending approval of Extra Work Claim No. 1, in the amount of $13,713.24, for removal and replacement of foundations for sign and traffic light signal, on Contract No. P79-0596-C1A, with John McCourt Company, for Rehabilitation of the Veterans of Foreign Wars Parkway, West Roxbury.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 1, in the amount of $13,713.24.

3. Report of Messrs. Faucher and Arinella, June 21, recommending approval of Extra Work Order No. 1, in the amount of $18,953.00, for fabrication and installation of a structural steel guide cage for lower sluice gate, as requested by the contractor, on Contract No. P89-1562-C1A, with Underwater Construction Corporation, for Emergency Contract for Replacement of Upper and Lower Sluice Gates, Charles River Locks and Dam.
Account No. 2440-8886.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $18,953.00.

4. Report of Messrs. Faucher and Okeke, June 8, on bids for Furnishing and Installing New Storage Tanks, Pumps and Automated Fuel Management Equipment at Various MDC Locations, Contract No. P90-1574-C1A. Account No. 2490-8881.
(Messrs. Faucher and Okeke recommend acceptance of the low bid, that of Andover Engineering and Design of $1,649,000.00).
The Commission V O T E D: to accept the lowest bid, that of Andover Engineering and Design of $1,649,000.00.

5. Report of Messrs. Faucher and Arinella, June 22, recommending that the Commission ratify and approve the action of the Division in using Barber-Colman Marcucci, Inc, for Emergency HVAC Service at the Franklin Park and Stone Zoos and authorize payment in the amount of $7,470.77. Account No. 2440-0010-12.
The Commission V O T E D: to ratify and approve the action of the Division in using Barber-Colman Marcucci, Inc, for Emergency HVAC Service at the Franklin Park and Stone Zoos.
The Commission further V O T E D: to authorize payment in the amount of $7,470.77.

1. Report of Messrs. Faucher and Lenhardt, June 20, on request of The Modern Continental Construction Co., Inc., Contractor on Contract No. P84-1276-C3A - Repairs to Monsignor William J. Casey Overpass, for approval of the following sub-contractors -

Converse Construction Co. - **$954,492.00**
Item 012-010, 020 - Galvanized Steel Pedestrian and Traffic Rails.
Item 017-010 - Modify Existing Drainage System.
Item 018-010 - Epoxy Coated Reinforcing.
Item 019-010 - Post Tensioning System.

Constructive Services - **$137,000.00**
Item 019-010 - Post Tensioning System.

P. J. Spillane Company, Inc. - **$231,750.00**
Item 008-010 - Masonry Crack Repair.
Item 008-020 - Concrete Spall Repair.
Item 008-030 - Polymer Cementitious Protective Coating.

Transpo Industries Inc. - **$ 48,800.00**
Item 014-010 - Furnishing and Installing Attenuators

at a total cost of $1,372,042.00.
At this point, Associate Commissioner Jones requested that Messrs. Brown and Turner, be in attendance at the meeting of July 5, 1990, to discuss sub-contractor's relationship with EEO/AA.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of June 20, 1990.

2. Report of Messrs. Faucher and Arinella, June 20, on bids for Servicing Heating Ventilating and Air Conditioning Systems at Locks, Dams, Pump Houses and MDC Harbor Patrol Building, Charlestown, Somerville, Everett and Boston, Contract No. P90-1585-M1A. Account No. 2440-0010-12.
(Messrs. Faucher and Arinella recommend acceptance of the low bid, that of Barber-Colman Marcucci, Inc., of $79,074.00).
The Commission V O T E D: to accept the lowest bid, that of Barber-Colman Marcucci, Inc., of $79,074.00.

3. Report of Messrs. Faucher and Arinella, June 20, on bids for Servicing Heating, Ventilating and Air Conditioning Systems at the Franklin Park and Stone Memorial Zoos, Dorchester and Stoneham, Contract No. P90-1586-M1A. Account No. 2443-2000.
(Messrs. Faucher and Arinella recommend acceptance of the low bid, that of Patrick J. Kennedy & Sons, of $159,160.00).
The Commission V O T E D: to accept the lowest bid, that of Patrick J. Kennedy & Sons, of $159,160.00.

4. Report of Messrs. Faucher and Abounaja, June 19, recommending approval of Extra Work Order No. 1, in the amount of $2,749.68, for additional work performed on Contract No. P87-1475-C1A, with Sciaba Construction Corp., for Handicap Access for MDC Headquarters. Account No. 2440-9881.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $2,749.68.

5. Report of Messrs. Faucher and Higgott, June 14, on request of Linden Construction Co., Contractor on Contract No. P82-1079-C1A, Repair of Seawalls and Restoration of Pavilions and Bandstand, Revere Beach Reservation, for approval of the following sub-contractors -

G. F. Srague & Company - $196,000.00
Item 07-300 - Slate Roofing and Flashing.

Vesco Endeavors, Inc. - $100,000.00
Item 06-100 - General Carpentry.

at a total cost of $296,000.00.
At this point, Associate Commissioner Jones requested that Messrs. Brown and Turner, be in attendance at the meeting of July 5, 1990, to discuss sub-contractor's relationship with EEO/AA.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Higgott in their report of June 14, 1990.

6. Report of Messrs. Faucher and Carrigan, June 21, on request of Trimount Bituminous Products Company, Contractor on Contract No. P84-1315-C6A, Resurfacing Sections of Metropolitan District

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Commission Parkways Various Locations, for approval of the following sub-contractors -

Don Martin Corp. - **$137,922.00**
Item 007-010 - Bituminous Concrete Paving.

Tri State Signal, Inc. - **$ 14,300.00**
Item 020-010 - Traffic Signal Detector Loops.

Hiway Paving - **$231,150.00**
Item 007-010 - Bituminous Concrete Paving.

Markings Inc. - **$ 56,350.00**
Item 016-010 - Pavement Markings.
Item 017-010 - Pavement Markings.
Item 018-010 - Pavement Markings.
Item 019-010 - Pavement Markings.
Item 024-010 - Pavement Markings.

Metropolitan Signal Corp. - **$ 61,535.00**
Items 004-010 - Catch Basins and Manholes.
005-010 Adjusted and Rebuilt.
Item 010-010 - Granite Edgestone Reset.

at a total cost of $501,257.40.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Carrigan in their report of June 21, 1990.

1. Report of Messrs. Faucher and Lespasio, June 15, recommending approval of an extension of time from December 31, 1990 to March 31, 1991 and an increase in the contract upset limit by $143,439.00, on Contract-Agreement No. P82-1047-D1E, with Howard Needles Tammen & Bergendoff, for Design Work on the Reconstruction/Rehabilitation of the Lynnway and General Edwards Bridge, due to a delay in receiving submarine cable. Account No. 2490-0009.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of June 15, 1990.

Action was taken upon the following matter relating to the Watershed Managment Division:

2. Report of Mr. McGinn, June 22, recommending approval of the request of Shannon K. Justic to use Quabbin Tower on Saturday, September 15, 1990, for a wedding ceremony, subject to certain conditions.
The Commission V O T E D: Approved subject to the following conditions:

1. Miss Justic agrees to reimburse one MDC Police Officer on a paid detail for a minimum of two hours, to be confirmed with the Senior Officer, at Quabbin Police Headquarters, at least two weeks in advance of the wedding ceremony.

2. Miss Justic agrees to reimburse the MDC for a maintenance laborer for two hours by cashiers check or money order made payable to the Metropolitan District Commission.

3. Miss Justic is granted the permit with the understanding that she will hold the Commonwealth of Massachusetts, the Metropolitan District Commission and its agents and servants harmless and indemnified against all claims and demands for damages to persons or property arising out of the exercise of this permit.

Action was taken upon the following matter relating to the Office of Contract Administration:

3. Report of Mr. Jewett, June 14, requesting approval to renew the Contract-Agreement with Daniel F. Coughlin, Certified Public Accountant, to Analyze all Contractor's Financial Statements. Total Compensation not to exceed $3,650.00. Time for Performance July 1, 1990 through June 30, 1991. Account No. 2410-1000.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of June 14, 1990, subject to approval of a Waiver Letter by Administration and Finance which will allow for continued services.

Action was taken upon the following matter relating to the Central Services Division:

1. Report of Mr. Lydon, June 13, recommending approval of a Service Contract with Bear Automotive Service Equipment Company, for servicing computerized engine exhaust analyzer and inspection equipment at the North Central Garage in Stoneham for the period from July 1, 1990 to June 30, 1991 - at a cost of $2,680.00. Account No. 2440-0010-12.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. Van Wart, June 22, submitting for approval and signature Agreement with the Blue Hills Weather Club for use of the Blue Hills Observatory for weather monitoring purposes.
The Commission V O T E D: Approved.
The Secretary then submitted for signature, Agreement with the Blue Hills Weather Club, dated June 28, 1990, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matter:

3. Report of Mr. Wright, June 22, requesting approval to renew Contract-Agreement with Thomas F. McKenna, for Professional Services Representing the MDC in Employee and Labor Matters including Hearings before the Civil Service Commission, Administrative Bodies and Courts of the Commonwealth. Total Compensation not to exceed $24,900.00. Time for Performance July 1, 1990 to June 30, 1991.
Mr. Wright further request that the Commission execute the Contract-Agreement.
The Commission V O T E D: Approved - subject to approval of a Waiver Letter by Administration and Finance which will allow for continued services.
The Secretary then submitted for signature Contract-Agreement, dated June 28, 1990, which was signed by the Commissioner and three Associate Commissioners.

Action was take upon the following matters relating to the Office of Real Property:

4. Report of Mrs. Anderson, June 26, recommending that the Commission adopt an Order of Taking for acquisition of 34.2± acres of land owned by Edwin E. Wronski, Chester J. Wronski, Eleanor J. Wronski, Edmund J. Wronski, Helen M. Wronski, Harold J. Wronski and Mary E. Wronski, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $373,350.00. It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations and data provided by independent fee appraisers and staff of the Real Property Office. It was further noted that the owners of this property have refused to accept the offer of $373,350.00; therefore, the Metropolitan District Commission should proceed with an eminent domain taking.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 34.2± acres of land owned by Edwin E. Wronski, Chester J. Wronski, Eleanor J. Wronski, Edmund J. Wronski, Helen M. Wronski, Harold J. Wronski and Mary E. Wronski, located in the Town of Sterling, Massachusetts.

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LOCATION OF PROPERTY: PRINCETON AND JOHNSON ROADS, STERLING, MASSACHUSETTS

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 28, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land on the westerly side of Princeton Road (Route 62) and Johnson Road (Route 140) in said Sterling, and beginning at the southeasterly corner thereof, bounded:

SOUTHEASTERLY	by land now or formerly of Lima and land now or formerly of French;
SOUTHWESTERLY	by said land of French;
NORTHWESTERLY	by land of owners unknown or now or formerly of May;
NORTHEASTERLY	by land now or formerly of May;
NORTHWESTERLY	by said land of May; and
EASTERLY	by said Princeton Road and Johnson Road to the point of beginning.

Containing 34.2 acres, more or less, and referenced as the "remaining land of Wronski" as shown on a plan of land dated November 30, 1988, prepared by Guerard Survey Co. & Assoc., and filed with the Worcester District Registry of Deeds as Document No. 419861, but expressly excluding from the premises taken hereby two (2) certain parcels, one parcel being shown on said plan as Parcel "A", and the other parcel being shown on said plan as owned by Harold J. and Mary E. Wronski and being conveyed to same by a deed recorded with Worcester District Registry of Deeds in Book 3533, Page 599.

Meaning and intending to take hereby, the premises described as "Parcel 5" in a deed from Harold J. Wronski to Harold J. Wronski and Mary E. Wronski, dated January 22, 1990, and recorded with said Deeds in Book 12620, Page 133,

howsoever the same may be bounded and described, including all fee interest in said roads held by the supposed owners, and excepting those parcels shown on said plan as Parcel "A" and as owned by said Harold J. Wronski and Mary E. Wronski.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Edwin E. Wronski, Chester J. Wronski, Eleanor J. Wronski, Edmund J. Wronski, Helen M. Wronski, Harold J. Wronski, Mary E. Wronski	$ 373,350.00

The Commission further V O T E D: to approve an award of damages in the amount of $373,350.00.

1. Report of Mrs. Anderson, June 26, recommending that the Commission adopt an Order of Taking for acquisition of 38.902± acres of land owned by Edwin E. Wronski, Chester J. Wronski, Eleanor J. Wronski, Edmund J. Wronski, Helen M. Wronski, Harold J. Wronski and Mary E. Wronski, located in the Towns of Princeton and Sterling, Massachusetts, and to approve an award of damages in the amount of $450,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations and data provided by independent fee appraisers and staff of the Real Property Office.
It was further noted that the owners of this property have refused to accept the offer of $450,000.00; therefore, the Metropolitan District Commission should proceed with an eminent domain taking.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 38.902± acres of land owned by Edwin E. Wronski, Chester J. Wronski, Eleanor J. Wronski, Edmund J. Wronski, Helen M. Wronski, Harold J. Wronski and Mary E. Wronski, located in the Towns of Princeton and Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 28, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Sterling and Princeton in the County of Worcester and Commonwealth of Massachusetts, shown on a plan entitled "Commonwealth of Massachusetts Metropolitan District Commission Division of Watershed Management, Sterling (Worcester County) Mass., Land Taking Plan for Watershed Protection", dated June 20, 1990, prepared by Merrimack Engineering Services, Inc., which plan shall be recorded with this order in the Worcester District Registry of Deeds and made a part of this order, namely:

A certain parcel located on the westerly side of Princeton Road (Route 62),

BEGINNING at the southeasterly corner at a point at land of n/f the Town of Sterling and the westerly sideline of Princeton Road,

RUNNING S. 58 degrees 56' 08" W. 469.83 feet along land of n/f Town of Sterling to a point at land of n/f Bonnell,

THENCE S. 61 degrees 13' 21" W. 643.94 feet along lands of n/f Bonnell, n/f Magdis to a point at land of n/f Sterling Heights Builders, Inc.,

THENCE N. 28 degrees 41' 39" W. 826.96 feet along land of n/f Sterling Heights Builders, Inc. to a point at land of n/f Town of Sterling,

THENCE N. 27 degrees 34' 41" W. 775.37 feet along land of n/f Town of Sterling, across the Sterling-Princeton Town Line to a point at land of n/f Calcia,

THENCE N. 58 degrees 17' 11" E. 873.18 feet along land of

n/f Calcia, n/f Backus to a point at the intersection of a fence at an oak tree at land of n/f Maki,

THENCE S. 23 degrees 52' 38" E. 305.00 feet along land of n/f Maki, across the Sterling-Princeton Town Line along land of n/f Maki to a point,

THENCE N. 66 degrees 07' 22" E. 232.63 feet along land of n/f Maki to a point on the westerly sideline of Princeton Road,

THENCE S. 29 degrees 25' 00" E. 262.41 feet along the westerly sideline of Princeton Road to a point at a stone bound,

THENCE S. 28 degrees 20' 47" E. 187.34 feet along the westerly sideline of Princeton Road to a point at a stone bound,

THENCE S. 26 degrees 32' 45" E. 607.82 feet along the westerly sideline of Princeton Road to a point at a stone bound,

THENCE along a curve to the left a radius of 571 feet, 23.89 feet along the westerly sideline of Princeton Road to a point at land of n/f Reed,

THENCE S. 61 degrees 03' 36" W. 15.00 feet along land of n/f Reed to a point,

THENCE S. 30 degrees 26' 35" E. 30.78 feet along land of n/f Reed to a point,

THENCE N. 58 degrees 03' 14" E. 15.00 feet along land of n/f Reed to a point on the westerly sideline of Princeton Road,

THENCE along a curve to the left a radius of 571.81 feet, 122.81 feet along the westerly sideline of Princeton Road to a point at a stone bound,

THENCE S. 44 degrees 15' 06" E. 75.19 feet along the westerly sideline of Princeton Road to a point at land of n/f Town of Sterling and the point of beginning.

Containing 38.902 square feet, more or less.

Meaning and intending to take hereby all that land as described above and as shown on said plan, howsoever the same may be bounded and described, including any and all fee interest in said Princeton Road which may be held by the supposed owners.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of

Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Edwin E. Wronski, Chester J. Wronski, Eleanor J. Wronski, Edmund J. Wronski, Helen M. Wronski, Harold J. Wronski, Mary E. Wronski	$ 450,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $450,000.00.

1. Report of Mrs. Anderson, June 26, recommending that the Commission adopt an Order of Taking for acquisition of 26.1± acres of land owned by John Shields and Beatrice M. Shields, located in the Towns of Oakham and Rutland, Massachusetts, and to approve an award of damages in the amount of $45,700.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations and data provided by independent fee appraisers and staff of the Real Property Office.
It was further noted that the owners of this property have refused to accept the offer of $45,700.00; therefore, the Metropolitan District Commission should proceed with an eminent domain taking.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 26.1± acres of land owned by John Shields and Beatrice M. Shields, located in the Towns of Oakham and Rutland, Massachusetts.

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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 28, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Oakham and Rutland in the County of Worcester and Commonwealth of Massachusetts, namely:

All that certain land located in the Towns of Oakham and Rutland, County of Worcester, Commonwealth of Massachusetts, now or formerly known as The Boston and Maine Railroad land, included within the limits of that portion of the location of the Central Massachusetts Branch, so-called, formerly operated by the Boston and Maine Railroad, together with all the right, title and interest of said railroad in its lands contiguous or adjacent to the said portion of said Branch; excepting, however, the land and location of the former Fitchburg Railroad, now or formerly Boston and Maine Railroad, situated in said Oakham and Rutland.

Containing 26.1 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in two deeds from Anna F. Shields to John Shields and Beatrice M. Shields, both deeds dated March 25, 1967, and recorded with the Worcester District Registry of Deeds in Book 4742, Pages 444 and 447.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions,

all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
John Shields and Beatrice M. Shields	$ 45,700.00

The Commission further V O T E D: to approve an award of damages in the amount of $45,700.00.

1. Report of Mrs. Anderson, June 25, recommending that the Commission adopt an Order of Taking for acquisition of 91± acres of land owned by The T. S. Mann Lumber Company, Inc., located in the Towns of Shutesbury and Wendell, Massachusetts and to approve an award of damages in the amount of $100,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations and data provided by independent fee appraisers and staff of the Real Property Office.
It was further noted that the owners of this property have refused to accept the offer of $100,000.00; therefore, the Metropolitan District Commission should proceed with an eminent domain taking.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 91± acres of land owned by The T. S. Mann Lumber Company, Inc., located in the Towns of Shutesbury and Wendell, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 28, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Shutesbury and Wendell in the County of Franklin and Commonwealth of Massachusetts, namely;

Four certain parcels of land, bounded and described as follows:

Parcel 1.

A certain parcel located partly in Shutesbury and partly in Wendell in said County,

BEGINNING at the southeast corner of the parcel on the north side of the old highway known as the Rockwood Hill road on land formerly of Abraham Felton;
THENCE northerly on land of said Felton to land formerly of G. W. Black to stake and stones;
THENCE westerly on land of said Black to land of said Felton to stake and stones;
THENCE southerly 19 rods on land of said Felton to stake and stones;
THENCE westerly on land of said Felton to land formerly owned by Edwin Stone to stake and stones;
THENCE southerly on land of said Stone and land formerly of Joshua Ranger and land formerly of Chauncy C. Stebbins to stone bound and stones at the highway mentioned above;
THENCE easterly on said road to the place of beginning, containing 40 acres more or less.

Parcel 2.

A certain parcel located in Shutesbury in said County, bounded

On the south thereof by the county road known as the Rockwood Hill road so-called,
on the east side thereof by land formerly of Henry A. Cogswell,
on the north by land formerly of Joshua Ranger,
containing 15 acres more or less.

Parcel 3.

A certain parcel located in the northeast part of Shutesbury known as Macedonia,

BEGINNING at the north east corner of said parcel at a stake and stones;
THENCE southwesterly on land formerly of Charles Chandler to a stake and stones;
THENCE northerly on said Chandler land to a stake and stones;
THENCE westerly to a corner on the highway;
THENCE southerly on the highway to a stake and stones;
THENCE easterly on land formerly of Garves Wilson to a stake and stones;
THENCE northerly on land formerly of Samuel Putnam to the place of beginning, containing 16 acres, more or less.

Parcel 4.

A certain parcel located in the northeast part of Shutesbury known as Macedonia,

BEGINNING at a stake and stones twenty-six (26) rods west of the original southeast corner of the farm formerly owned by Ebenezar Reynolds, deceased;
THENCE northerly on land formerly of Abraham Felton's Heirs to a county road leading from New Salem to Locks Pond;
THENCE westerly on said road to a road leading to Shutesbury;

THENCE on said road southerly to land formerly of Charles Chandler;
THENCE on said Chandler land to the first mentioned corner, containing 20 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, including any and all fee interest in said roads which may be held by the supposed owner, and being the same premises described in a deed from Burton W. Cogswell, et al, to The T. S. Mann Lumber Company, Incorporated, dated December 26, 1936, and recorded with Franklin County Registry of Deeds in Book 788, Page 182, and the same premises described in a deed from Cora J. Stowell, et al, to The T. S. Mann Lumber Company, Inc., dated April 29, 1937, and recorded with said Deeds in Book 822, Page 158.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
The T. S. Mann Lumber Company, Inc.	$ 100,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $100,000.00.

1. Report of Mrs. Anderson, June 26, recommending that the Commission adopt an Order of Taking for acquisition of 30± acres of land owned by Robert C. Briggs and Homer B. Briggs, Jr., and/or the Heirs of Mellen H. Briggs, as undetermined of record, and located in the Town of Shutesbury, Massachusetts, and to approve an award of damages in the amount of $15,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations and data provided by independent fee appraisers and staff of the Real Property Office.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 30± acres of land owned by Robert C. Briggs and Homer B. Briggs, Jr., and/or the Heirs of Mellen H. Briggs, as undetermined of record, and located in the Town of Shutesbury, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 28, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Shutesbury in the County of Franklin and Commonwealth of Massachusetts, namely, a parcel bounded:

BEGINNING at a stake and stones at the northeast corner of said lot on land now or formerly of Ballard and Fay;
THENCE southerly on land now or formerly of Stratton to a stake and stones;
THENCE westerly on land of said Stratton to a stake and stones;
THENCE northerly to a stake and stones;
THENCE easterly to a stake and stones;
THENCE northerly to a stake and stones, all on land now or formerly of Stratton;
THENCE easterly on land now or formerly of Ballard and Fay to the first mentioned corner.

Containing 30 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, said premises being the same premises described in a deed from Dulcenia Ballard, et al, to Marcellus D. Stratton, dated March 12, 1895, and recorded with Franklin County Registry of Deeds in Book 447, Page 138.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Robert C. Briggs and Homer B. Briggs, Jr., and/or the Heirs of Mellen H. Briggs, as undetermined of record	$ 15,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $15,000.00.

1. Report of Mrs. Anderson, June 26, recommending that the Commission adopt an Order of Taking for acquisition of 37,600 square feet of land owned by Arthur A. Augenstern, located in the Town of Hull, Massachusetts, and to approve an award of damages in the amount of $205,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations and data provided by independent fee appraisers and staff of the Real Property Office.
Ms. Judith VanHorn, a member of the Town of Hull Planning Board, presented a brief history of the parcel of land and offered her endorsement of the Order of Taking.
The Commission V O T E D: to adopt an Order of Taking for acquisition of 37,600 square feet of land owned by Arthur A. Augenstern, located in the Town of Hull, Massachusetts.

LOCATION OF PROPERTY: FARINA ROAD, HULL, MASSACHUSETTS

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 28, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Hull in the County of Plymouth and Commonwealth of Massachusetts, namely:

That certain parcel of land located on Farina Road and described as Parcel One in a deed from Joseph A. DiVito et ux to Arthur A. Augenstern, dated September 28, 1973, and recorded with Plymouth County Registry of Deeds in Book 3940, Page 358, and containing 37,600 square feet of land, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Farina Road which may be held by the supposed owner.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and

excluding all easements of record on, over, under, across and through said land.

The concurremce of the Park and Recreation Commissioners of the Town of Hull, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Arthur A. Augenstern	$ 205,000.00

TOWN OF HULL

PARK AND RECREATION COMMISSIONERS

Hull, June 21 , 1990

WHEREAS the Commonwealth of Massachusetts on June 28, 1990, did take certain land referred to and described in an order of taking, a copy of which has been submitted, which real estate lies in the Town of Hull in the County of Plymouth, and which property was formerly owned by Arthur A. Augenstern.

ORDERED: That the Park and Recreation Commissioners in conformity with section 79 of Chapter 92 of the General Laws of the Commonwealth of Massachusetts, hereby concur with said Metropolitan District Commission in said taking and in every act, matter and thing connected therewith.

Edward C. Hunt

Craig S. Walk

Park and Recreation Commissioners
Town of Hull

The Commission further V O T E D: to approve an award of damages in the amount of $205,000.00.

1. Report of Mrs. Anderson, June 26, recommending that the Commission adopt an Order of Taking for acquisition of 17.558± acres of land owned by Reva Goode, Trustee, G & O Realty Trust, located in the Hyde Park District of the City of Boston, Massachusetts and to approve an award of damages in the amount of $600,000.00.
It was noted that the recommendation for adoption of the Order of Taking and award of damages was arrived at as a result of recommendations and data provided by independent fee appraisers and staff of the Real Property Office.
Joseph Heisler, Legislative Assistant to Representative Angelo M. Scaccia, stated that the Representative was unable to attend today's Commission Meeting; however, the Representative wanted the Commission to be aware of his and local residents endorsement of the Order of Taking.
The Commission V O T E D: to approve an Order of Taking for acquisition of 17.558± acres of land owned by Reva Goode, Trustee, G & O Realty Trust, located in the Hyde Park District of the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 28, 1990.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Boston in the County of Suffolk and Commonwealth of Massachusetts shown on a plan entitled "Plan of Part of the Grew Estate, Hyde Park & West Roxbury, Mass.", dated March 8, 1928, prepared by Ernest W. Branch, Civil Engineer, and recorded with Suffolk County Registry of Deeds in Book 5004, Page 61, which plan shall be made a part of this order, namely, a parcel bounded and described as follows:

WESTERLY	by Stony Brook Reservation, being land of the Commonwealth of Massachusetts, 56.7 feet and 54.28 feet;
NORTHWESTERLY	by land formerly of Thompson, by two lines, 227.40 feet and 231.60 feet respectively;
NORTHERLY	by land formerly of the Dorchester Second Church, 485 feet;
NORTHWESTERLY	again still by land formerly of the Dorchester Second Church 430.80 feet;
NORTHEASTERLY	by land marked "Part of 123 Acres" on the plan above referred to, 465 feet more or less;
EASTERLY	still by land marked "Part of 123 Acres" on said plan, 780 feet;
SOUTHEASTERLY	by land marked "Edward H. Bonelli et al Trustees" on said plan, 217 feet;
SOUTHWESTERLY	by land now or formerly of Matthews and land now or formerly of Barrett, 895.71 feet;
SOUTHEASTERLY	again by land now or formerly of said Barrett and by land now or formerly of Jenney, and by the end of Gordon Avenue, 464.71 feet;

NORTHEASTERLY	again by said Gordon Avenue and land now or formerly of Jenney, 112.85 feet;
SOUTHEASTERLY	again by land now or formerly of Homans, 334 feet;
SOUTHWESTERLY	again by said Homans land, by two lines, measuring 56.7 feet and 81.2 feet respectively; and
SOUTHERLY	still by said Homans land, 167.65 feet to the point of beginning.

Containing 17.55 acres more or less.

Meaning and intending to take hereby the above premises, being the same premises described in a deed from the Bernardine Sisters of the Third Order of St. Francis of Massachusetts, Inc., to Rose G. Wingert, Trustee of G & O Realty Trust, said deed dated September 13, 1971, and recorded with Suffolk County Registry of Deeds in Book 8475, Page 146, howsoever the same may be bounded and described, including any fee interest held by the supposed owner in and to the roads above referenced.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Reva Goode, Trustee G & O Realty Trust	$ 600,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $600,000.00.

Action was taken upon the following matters relating the Zoos:

1. Report of Dr. Goldstein, June 19, requesting approval to continue the Agreement with the Massachusetts Bay Transportation Authority for bus shuttle between the Morton Street Parking Lot and the Franklin Park Zoo, for the period July 1, 1990 through October 31, 1990. Estimated cost $38,360.00. Funding will be provided through the MetroParks Zoos retained revenue Account No. 2443-0001.
The Commission V O T E D: Approved as requested by Dr. Goldstein in his report of June 19, 1990.

2. Report of Dr. Goldstein and Messrs. Clay and Barrett, June 20, on bids for extermination services for MetroParks Zoos for FY91. Account No. 2443-2000.
(Dr. Goldstein and Messrs. Clay and Barrett submit the low bid, that of P. Clancy and Sons Exterminating Company, of $11,000.00 for Commission acceptance).
The Commission V O T E D: to accept the lowest bid, that of P. Clancy and Sons Exterminating Company, of $11,000.00.

The following matter was placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from May 28, 1990 to June 4, 1990.

Expenditures	$644,981.69
Summer Youth	$ 631.89

Adjourned at 1:40 p.m. to meet on Thursday, July 5, 1990 at 10:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Five Hundred and Thirty Third (3533rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 5, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners O'Malley, Scandrett and Whelan.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement, dated July 5, 1990, with the Office of Lawrence J. Ball, Attorney, to represent the Police Division and the Commission in personnel matters involving the Civil Service Commission and applicable labor organizations.

2. Contract No. P90-1586-M1A, dated July 5, 1990, with Patrick J. Kennedy & Sons, for Servicing Heating, Ventilating and Air Conditioning Systems at the Franklin Park and Stone Memorial Zoos, Dorchester and Stoneham.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Mayhew, June 19, recommending the following on Contract No. P80-0793-C4A, with John Mahoney Construction Co., Inc., for Maritime Work - South Boston - Phase II -
(a) That work be accepted as completed as of December 2, 1989.
(b) That Estimate No. 13 (Final), in the amount of $34,363.55, be approved for payment.
(c) That reserve, in the amount of $17,907.22, be approved for payment.
(Basis of Award - $1,610,455.50)
(Total to Date - $1,358,144.18)
(Contract Administration Rating - 4.43)
(EEO Compliance - 4.60)
The Commission V O T E D: that the work of John Mahoney Construction Co., Inc., Contractor under Contract No. P80-0793-C4A, for Maritime Work, South Boston, Phase II, be and hereby is accepted as completed as of December 2, 1989.
The Commission further V O T E D: to approve Estimate No. 13 (Final), in the amount of $34,363.55, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $17,907.22, for payment.

4. Report of Messrs. Faucher and Abounaja, June 26, recommending approval of the request of Brightway Corporation, Contractor on Contract No. P88-1542-C1A, Improvements to Johnson Playground, to engage the services of the following sub-contractors -
Leslie and Whitfield Mechanical Corp. - $34,000.00
Item No. 010-010 - Filter System/Spray Pool
Wildeca Corp. - $10,000.00
Item No. 006-010 - Bituminous Paving
Vincent Fence, Inc. - $30,000.00
Item No. 011-010 - Chain Link Fence
H. F. Coleman Electric - $40,000.00
Item No. 025-010 - Lighting System
at a total cost of $114,000.00.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Abounaja in their report of June 26, 1990.

5. Report of Messrs. Faucher and Okeke, June 27, recommending that the Commission ratify and approve the award of Emergency Contract No. P90-1588-C1A, to Jet Line Services, Inc., for removal and disposal of an underground tank, near Mystic Park, Medford and authorize payment in the amount of $3,224.00.
Account No. 2440-7879-12.
The Commission V O T E D: to ratify and approve the award of Emergency Contract No. P90-1588-C1A, to Jet Line Services, Inc., for removal and disposal of an underground tank, near Mystic Park, Medford.
The Commission further V O T E D: to authorize payment in the amount of $3,224.00.

1. Report of Messrs. Faucher and Kirwin, June 22, recommending approval to exceed the estimated quantities on the following items under Contract No. P89-1550-M2A, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts -
Item No. 004-020 - - $4,380.00
Labor Rate for Licensed Electrician
Item No. 014-015 - + $ 660.00
Traffic Signal Cable - 15 Conductor
Item No. 017-010 - + $ 240.00
Detector Lead-In Cable
Item No. 018-010 - + $3,400.00
Traffic Signal Loop Detector
(No additional funding required as increase will be offset by unused quantities in Item No. 004-020).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Kirwin in their report of June 22, 1990.

2. Report of Messrs. Faucher and Lenhardt, June 28, recommending approval to exceed the estimated quantities, at a total additional cost of $545,760.00, on the following items under Contract No. P84-1276-C7A, with The Modern Continental Construction Company, Inc. for Repairs to Monsignor William J. Casey Overpass -
Item No. 001-010 - $414,000.00
Brick Masonry Removed and Reset
Item No. 001-020 - $ 20,760.00
Cap Stone Removed and Reset
Item No. 001-030 - $ 29,000.00
Granite Base Courses Removed and Reset
Item No. 004-010 - $ 72,000.00
4,000 # Cement Concrete Masonry
Item No. 005-010 - $ 5,000.00
Unclassified Excavation
Item No. 018-010 - $ 5,000.00
Epoxy Coated Reinforcing Steel
Account No. 2490-8881.
Mr. Lespasio explained that the increase in estimated quantities was caused by the deterioration of the structures concrete walls and masonry ties which held the brick work to the overpass.
He noted that due to the deterioration a dangerous condition occurred which resulted in a safety hazard along the entire length of the bridge.
Mr. Lespasio then noted that engineering staff determined it was essential that all brick work be removed from the bridge as soon as possible.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of June 28, 1990.

3. Report of Messrs. Faucher and Lespasio, June 29, recommending approval of Extra Work Order No. 1, in the amount of $53,857.51, for installation of walkways and gates at two locations in the median of Storrow Drive, on Contract No. P87-1425-C3A, with D & R General Contracting, Inc., for Repairing/Replacing Bituminous/ Cement Concrete Sidewalks Throughout the MDC.
Account No. 2490-8881.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $53,857.51.

4. Report of Messrs. Faucher and Soroka, June 21, recommending approval of the following on Contract No. P90-1569-M1A, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin District -
1. A change in Scope of Work which will consist of the construction of a new mid-block pedestrian traffic signal system, due to safety considerations, in the vicinity of 1400 Soldiers Field Road, Brighton.
2. Revision in Quantities -
   Item No. 004-010 - $5,000.00
   Labor Rate for Electrician
   Item No. 004-020 - $2,500.00
   Labor Rate for Serviceman
   Item No. 004-030 - $2,500.00

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Labor Rate for Helper
Item No. 005-010 - $2,000.00
Hourly Rate for Vehicle
Item No. 006-020 - $ 564.00
Vehicle Signal Head Assembly Three Section 12" Lens
Item No. 008-010 - $ 106.00
Traffic Signal Post
Item No. 009-010 - $ 256.00
Pedestrian Push Button and Signal
Item No. 010-010 - $ 500.00
Traffic Signal Base Cement Concrete
Item No. 011-020 - $ 500.00
Foundation Octagonal Base
Item No. 015-009 - $ 53.00
Traffic Signal Cable (9 Conductors)
Item No. 019-010 - $5,000.00
at a Total Cost of $18,979.00.
Account No. 2444-9001-12.

3. Extra Work Order No. 1
Item 1 - $ 400.00
Traffic Signal Controller Cabinet and Foundation
Item 2 - $2,400.00
Traffic Signal Mast Arm Foundation
Item 3 - $1,000.00
Service Connection Underground
Item 4 - $7,800.00
Three Inch Galvanized Steel
Item 5 - $3,100.00
Handicap Ramp
Item 6 - $ 450.00
Electric Handhole (18" x 18")
at a total cost of $15,950.00. Account No. 2444-9001-12.
The Commission V O T E D: to approve a change in Scope of Work which will consist of the construction of a new mid-block pedestrian traffic signal system, due to safety considerations, in the vicinity of 1400 Soldiers Field Road, Brighton.
The Commission further V O T E D: to approve the revisions in quantities as recommended by Messrs. Faucher and Soroka in their report of June 21, 1990.
The Commission further V O T E D: to approve Extra Work Order No 1, in the amount of $15,950.00.

1. Report of Messrs. Faucher and Soroka, June 29, recommending approval of the request of Tri-State Signal, Inc., Contractor on Contract No. P90-1569-M1A, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts, to engage the services of Signal Construction, as sub-contractor, for installation of a Mid-Block Pedestrian Traffic Signal, at a cost of $15,950.00.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Zoos:

2. Report of Dr. Goldstein, June 29, requesting Commission approval of a Contract-Agreement, to provide services as an instructor for the research group at the MetroParks Zoos. Total Compensation not to exceed $24,986.00. Time for Performance July 1, 1990 through June 30, 1991. Account No. 2443-2000.
The Commission V O T E D: Approved as requested by Dr. Goldstein in his report of June 29, 1990.

3. Report of Dr. Goldstein, June 29, requesting an Open Order Contract for the services of Visitor Services Specialists for MetroParks Zoos. Time for Performance will be July 1, 1990 through June 30, 1991. The upset limit for the Open Order Contract is $50,000.00. Funding will be provided through the MetroParks Zoos Retained Revenue Account No. 2443-0001.
The Commission V O T E D: Approved as requested by Dr. Goldstein in his report of June 29, 1990.

4. Report of Dr. Goldstein, June 29, requesting an Open Order Contract for the services of Maintenance Specialists for MetroParks Zoos. Time for Performance will be July 1, 1990

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through June 30, 1991. The upset limit for the Open Order Contract is $85,400.00. Funding will be provided through the MetroParks Zoos Retained Revenue Account No. 2443-0001.
The Commission V O T E D: Approved as requested by Dr. Goldstein in his report of June 29, 1990.

1. Report of Dr. Goldstein, June 29, requesting Commission approval of an Open Order Contract for Veterinary, Hospital and Laboratory Services for the MetroParks Zoos for FY/91. Time for Performance will be July 1, 1990 through June 30, 1991. Estimated Cost for the services is $18,000.00. Account No. 2443-2000.
The Commission V O T E D: Approved as requested by Dr. Goldstein in his report of June 29, 1990.

Action was taken upon the following matter relating to the Central Services Division:

2. Report of Mr. Lydon, July 2, recommending approval of a Memorandum of Understanding between The Department of Employment and Training and The Metropolitan District Commission, The Boston Mayor's Office of Jobs and Community Services, and Action for Boston Community Development, which provides for 200 Summer Youth Employees to perform general maintenance duties for the MDC at no cost to the Commission. Time for Performance will be July 9, 1990 through August 17, 1990.
The Commission V O T E D: Approved.

The following matter was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from June 4, 1990 to June 11, 1990.

Expenditures	$942,871.64
Summer Youth	$ 1,122.59

Adjourned at 11:35 a.m. to meet on Thursday, July 12, 1990 at 10:00 a.m.

William F. Quinn
Secretary

Record of the Three Thousand Five Hundred and Thirty Fourth (3534th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, July 12, 1990 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Jones, O'Malley, Scandrett and Whelan.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contracts, dated July 12, 1990, with Waste Management, Laidlaw Waste Systems, BFI Industries and Reliable Rubbish Disposal, for Rubbish Dumpster Supply Service and Waste Disposal.

2. Contract No. P90-1577-C3A, dated July 12, 1990, with R. Zoppo Co., Inc., for Repairs, Replacement and Calibration of Console, Engine and Level Gauges, MDC Locks, Dams and Pump Houses.

3. Contract-Agreements, dated July 12, 1990, with Lamont D. Seipel and Susan J. Kaplan for services as Visitor Services Specialists for Metroparks Zoos. Total Compensation $20,000.00 each.

4. Contract-Agreement, dated July 12, 1990, with Dr. Donna Maria Fernandes, to provide services as an instructor for the research group at the MetroParks Zoos.

5. Contract No. P90-1576-C1A, dated July 12, 1990, with Allied Weatherproofing Co., Inc., for Critical Repairs to Swimming Pools.

The Secretary then submitted for signature the following paper:

6. Memorandum of Agreement with Congress Group Ventures, Inc., General Partner/North Federal Properties Limited Partnership, One Memorial Drive, Cambridge 02142, pursuant to the Chapter 91 license in connection with their development project at 15 Monsignor O'Brien Highway.
The members of the Commission noted that they had not received the Memorandum of Agreement until shortly before the start of the Commission meeting. Therefore, they did not have adequate time to review the fifteen page document.
Following a lengthy discussion concerning the terms and conditions of the Memorandum of Agreement, the Commission voted to Hold Over the matter pending review. Mrs. O'Brien and Mr. Wright were requested to be in attendance at the Commission Meeting of July 26, 1990, prepared to answer questions which may be posed by the Commission, concerning the Memorandum of Agreement with Congress Group Ventures, Inc., General Partner/North Federal Properties Limited Partnership.

Action was taken upon the following matters relating to the Engineering and Construction Division:

7. Report of Messrs. Faucher and Griffin, July 2, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P88-1546-C2A, Alewife Brook Clean-Up Phase II. Estimated Cost $67,000.00. Account No. 2440-9898.
The Commission V O T E D: Approved.

8. Report of Messrs. Faucher and O'Connor, July 2, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P91-1591-M1A, Tunnel and Pedestrian Overpass Washings in the Metropolitan District at Three Locations for Fiscal Years 91-92 - 21 Month Maintenance Contract. Estimated Cost $50,000.00. Account No. 2444-9001-12.
The Commission V O T E D: Approved.

9. Report of Messrs. Faucher and Mayhew, July 3, recommending the following on Contract Agreement No. P80-0793-D1B (CS-80-3PE),

with Fay Spofford and Thorndike, Inc., for Engineering Services for Maritime Work, South Boston and Hull -

(a) That work be accepted as completed as of December 29, 1989.

(b) That retainage, in the amount of $18,570.07, be approved for payment.

(Basis of Award - $185,791.00)
(Total to Date - $411,286.62)
(Consultant Rating - Scale of 1 to 10 - 6.50)

Associate Commissioner Jones asked if a complete file is maintained in the Engineering and Construction Division which documents reasons for the increase of $233,493.00 over the original Contract-Agreement of $185,791.00.

Mr. Mayhew, Project Engineer, responded in the affirmative.

The Commission V O T E D: that the work of Fay Spofford and Thorndike, Inc., Consultant under Contract Agreement No. P80-0793-D1B (CS-80-3PE), for Engineering Services for Maritime Work, South Boston and Hull, be and hereby is accepted as completed as of December 29, 1989.

The Commission further V O T E D: to approve release of reserve, in the amount of $18,570.07, for payment.

1. Report of Messrs. Faucher and Machado, July 3, on bids for Neponset River Bridge Rehabilitation, Boston-Quincy, Contract No. P84-1276-C2B. Account No. 2490-8881.

(Messrs. Faucher and Machado recommend acceptance of the low bid, that of Sciaba Construction Corp., of $3,178,200.00).

Associate Commissioner Jones noted that this project was previously advertised and bids were rejected because of a significant difference between the bid price and the engineer's estimate. He then questioned why the Division was recommending award of the contract, the second time it was advertised, even though the two low bidders increased their bid price.

Mr. Lespasio explained that the design engineer acknowledged that he underestimated certain items in the first bid package which resulted in a significant difference between the bid price and the estimate.

Mr. Lespasio further explained that the increase in bid price, by the two low bidders over the first time the project was bid on, was a result of additional work being incorporated into the second contract. Associate Commissioner Jones requested that this statement by Mr. Lespasio be included in his memo of recommendation.

The Commission V O T E D: to accept the lowest bid received, that of Sciaba Construction Corp., of $3,178,200.00.

At this point, Associate Commissioner Jones requested that Messrs. Brown and Turner provide the Commission with Minority Trade Utilization Manning Tables, on major contracts, outlining the percentages of minorities and women, excluding the labor classification, utilized by each Contractor in the various trades. He then spoke of the importance of insuring that these individuals receive adequate working hours from contractors to qualify them for trade certification.

2. Report of Mr. Faucher and Ms. Peterson, July 5, recommending approval of an extension of time from July 31, 1990 to July 31, 1992, on Contract-Agreement No. P82-1054-D1B, with Edwards and Kelcey, Inc., for Upgrading and Rehabilitation of the MDC Charles Circle Bridge #57A and 57B.

The Commission V O T E D: to approve an extension of time from July 31, 1990 to July 31, 1992, as recommended by Mr. Faucher and Ms. Peterson in their report of July 5, 1990.

3. Report of Messrs. Faucher and Abounaja, June 26, requesting approval of an extension of time from June 30, 1990 to July 20, 1990, on Contract No. P87-1475-C1A, with Sciaba Construction Corp., for Handicap Access for MDC Headquarters.

The Commission V O T E D: to approve an extension of time from June 30, 1990 to July 20, 1990, as requested by Messrs. Faucher and Abounaja in their report of June 26, 1990, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Managment Division:

1. Report of Mr. McGinn, July 3, requesting Commission approval of an Open Order Contract for the services of ten rain gauge observers currently working in this capacity, at $180.00 per Observer, for Fiscal Year 1991. Total Cost $1,800.00, as follows:

Quabbin	Wachusett
Arthur R. Coolidge	Dennis S. Moore
Doris E. Cornwall	Kathryn R. Murdock
Glenn M. Dickson	Scott Pierce
John Guzik	Gerald A. Prizio
Ward M. Hunting	David Rota

Account No. 2420-1400-JJ.
The Commission V O T E D: Approved.

2. Report of Mr. McGinn, July 3, requesting Commission approval of an Open Order Contract for the services of an Interpreter for the Deaf to assist a deaf employee at the Quabbin Reservation. Compensation $50.00 per hour, with an Upset Limit of $600.00. Time for Performance will be July 1, 1990 through June 30, 1991. Account No. 2420-1400-JJ.
Associate Commissioner Jones asked that a copy of Mr. McGinn's memo and the Commission vote be forwarded to Mr. Vieira for his information.
The Commission V O T E D: Approved as requested by Mr. McGinn in his report of July 3, 1990.

3. Report of Mr. McGinn, July 3, requesting approval of a Contract for messenger services to and from Quabbin and Wachusett. Total Compensation $7,800.00. Time for Performance July 1, 1990 through June 30, 1991. Account No. 2420-1400-JJ.
Mr. McGinn reviewed the importance of the messenger service. He explained that he investigated the possibility of having MDC employees perform the delivery service, but it was not feasible. Associate Commissioner Whelan asked if the U.S. Mail would be acceptable. Mr. McGinn stated that most of the correspondence has a time value and therefore, due to its unpredictable delivery schedule, the U.S. Mail service would not be acceptable.
The Commission V O T E D: Approved as requested by Mr. McGinn in his report of July 3, 1990.

4. Report of Mr. McGinn, July 2, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1688, conveying South 1/2 of Lot No. 931, to Philip W.
Waugh.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1688, dated July 12, 1990, which was signed by the Commissioner and two Associate Commissioners.

5. Report of Mr. McGinn, July 3, requesting an Open Order Contract for Hazardous Waste Removal Services from Quabbin/Wachusett Watershed areas and further requesting permission to advertise the service. Time for Performance July 1, 1990 through June 30, 1991. Estimated Cost for the service is $2,000.00. Account No. 2420-1400-JJ.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise.

6. Report of Mr. McGinn, July 3, recommending approval of an extension of time from September 1, 1990 to February 28, 1991, on Contract No. WM88-002-S1A, with the Nashua River Watershed Association, for Stillwater Watershed Protection.
The Commission V O T E D: Approved.

7. Report of Mr. McGinn, July 3, requesting Commission approval of an Open Order Contract for Rubbish Removal at Quabbin and Wachusett Sections and further requesting permission to advertise for the service. Time for Performance July 1, 1990 through June 30, 1991. Estimated Cost $10,000.00. Account No. 2420-1400-JJ.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise.

1. Report of Messrs. McGinn and O'Connor, June 26, on proposals for the purchase of forest products located on the Quabbin Reservoir and Ware River Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Hutchinson & Son Logging, of $220.00; to purchase approximately 23,635 board feet of sawlogs on Timber Sale No. 552AA - Quabbin Reservoir Watershed; Hutchinson & Sons Logging will also provide four cases of flagging valued at $579.80 and two Indian Series 90 back pack fire fighting pumps valued at $204.00, delivered to Administration Building, which are considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of Hutchinson & Son Logging, of $788.70; to purchase approximately 21,225 board feet of sawlogs on Timber Sale No. 573A - Quabbin Reservoir Watershed; Hutchinson & Son Logging will also provide six Nomex fire coveralls valued at $788.70, delivered to New Salem Office, which are considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of John Conkey & Sons Logging, of $2,587.34; to purchase approximately 99,405 board feet of sawlogs on Timber Sale No. 581A - Quabbin Reservoir Watershed; John Conkey & Sons Logging will also provide twenty acres of stand improvement to include pruning 500 trees to 13'; cut & skid 20 mbf white pine; non commercial weeding & thinning of 20 acres, valued at $3,300.00, to be performed within Quabbin, which is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of LeClerc & Sons, of $6,099.90; to purchase approximately 227,550 board feet of sawlogs on Timber Sale No. 585 - Quabbin Reservoir Watershed; LeClerc & Sons will also provide 265 hours of trucking valued at $10,000, on Commission roadways within Quabbin, which is considered partial payment for the sawlogs.
The Commission further V O T E D: to accept the highest qualified bid, that of Native American Hardwood, of $9,605.20; to purchase approximately 179,530 board feet of sawlogs and 120 cords of firewood on Timber Sale No. 586 - Quabbin Reservoir Watershed; Native American Hardwood will also crush 8000 yds. of 1 1/2" processed gravel valued at $22,000.00, within Quabbin, which is considered partial payment for the sawlogs and cordwood.
The Commission further V O T E D: to accept the only qualified bid, that of E. A. Davis Lumber, of $20.00; to purchase approximately 62,265 board feet of sawlogs on Timber Sale No. 156AA - Ware River Watershed; E. A. Davis Lumber will also provide 18 cement barways valued at $990.00, delivered to Shaft 8 Office, which are considered partial payment for the sawlogs.
The Commission further V O T E D: not to accept the only bid received, that of E. A. Davis Lumber, of $10.00; to purchase approximately 48,055 board feet of sawlogs on Timber Sale No. 157AA - Ware River Watershed, inasmuch as this offer falls below the fair market value for this lot.
The Commission further V O T E D: to accept the only bid received, that of E. A. Davis Lumber, of $10.00; to purchase approximately 170,735 board feet of sawlogs, 136 cords of firewood and 225 tons of whole tree wood on Timber Sale No. 171A - Ware River Watershed; E. A. Davis Lumber will also crush 830 cu. yds. of spoilage material from Shaft #7, valued at $2490.00, which is considered partial payment for the sawlogs, cordwood and whole tree wood.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Lumber Co., of $4,224.35; to purchase approximately 163,720 board feet of sawlogs and 150 cords of firewood on Timber Sale No. 176 - Ware River Watershed; Hubbard Lumber Co., will also crush 3500 cu. yds. of bank run gravel, valued at $8,750.00, within Ware River Watershed, which is considered partial payment for the sawlogs and cordwood.
The Commission further V O T E D: to accept the highest qualified bid, that of Forest Energy Resources, of $110.00; to purchase approximately 51,440 board feet of sawlogs, 9 cords of firewood and 748 tons of pulp on Timber Sale No. 177 - Ware River Watershed; Forest Energy Resources will also prune 700 white pine trees to a height of 13 ft., valued at $1,400.00, within the Ware

River Watershed, which is considered partial payment for the sawlogs, cordwood and pulp.
The Commission further V O T E D: to accept the highest qualified bid, that of Bruce Cheney, of $265.00; to purchase approximately 4,805 board feet of sawlogs and 28 cords of firewood on Timber Sale No. 178 - Ware River Watershed.

1. Report of Messrs. McGinn and O'Connor, July 2, on proposals for the purchase of forest products located on the Quabbin Reservoir and Ware River Watersheds.
The Commission V O T E D: to accept the only qualified bid, that of Hutchinson & Son Logging, of $0.20; to purchase approximately 83 cords of cordwood on Roadside Sale No. 28A - Quabbin Reservoir Watershed; Hutchinson & Son Logging will also provide the following: One 12"x20' - 16 ga. aluminum spiral culvert. Two 48"x20' - 12 guage aluminum spiral culverts. To be delivered to the New Salem Forestry Office, valued at $2,074.80, which are considered partial payment for the cordwood.
The Commission further V O T E D: to accept the only qualified bid, that of Hubbard Lumber Co., of $651.70; to purchase approximately 70,710 board feet of sawlogs on Roadside Sale No. 1 - Ware River Watershed; Hubbard Lumber Co., will also purchase thirty 12"x20' 16 guage aluminum culverts, to be delivered to MDC New Salem office, valued at $2,074.80, which is considered partial payment for the sawlogs.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from June 11, 1990 to June 18, 1990.

Expenditures	$404,107.30
Summer Youth	$ 1,185.01

Adjourned at 1:25 p.m. to meet on Thursday, July 26, 1990 at 10:00 a.m.

William F. Cusick
Secretary